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PUNISHMENT

AND

PREVENTION.

BY

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INTRODUCTION.

THE steady and successful progress of the various questions which affect the treatment of our criminals and neglected outcasts, is one of the most satisfactory features of the present day. When pressed earnestly on public attention not many years ago, they were by most viewed with a mixture of scorn and of impatience; but now every new suggestion is at least received with respect, as a contribution to the wellbeing of the community.

At the commencement of this century the country was in a state of profound ignorance and indifference as to criminals, for the impulse given by Howard was expending itself rather in care for prisons than prisoners, and more attention was bestowed on their physical than their moral wants.

Prison discipline by slow degrees rose to be a public question of acknowledged importance;

and it had made great progress in regard to adults, long before systematic attention was given to the treatment of juvenile criminals and neglected outcasts.

The principal cause of public apathy was want of information as to the actual state of the country in respect of crime, and of criminals, old and young; and the information which has been accumulated, within the last few years, is the foundation of all the modern activity on their behalf. It is derived from many various sources; the most important are the prison statistics annually laid before Parliament in the form of the Reports of Colonel Jebb, Surveyor-General of Prisons, and those of the District Inspectors of Prisons, and the Returns of Criminal Offenders for England and Scotland. Much valuable matter is also contained in the reports of local prisons, among which those of Mr Clay of Preston stand pre-eminent for importance and interest.

Our knowledge of the state of neglected juveniles is principally obtained from the evidence adduced before various committees of both Houses of Parliament, especially those of the Commons in 1852 and 1853.

The information regarding the progress and working of industrial feeding schools, and ragged schools, is derived from local reports of institutions, and from the *Ragged School Magazine*.

The most important recent occurrence in connexion with the subject is, the formation of the Reformatory and Refuge Union, under the management of some of the best and wisest of our public men ; and of the National Reformatory Union, opposed to the former on one important question, but in all others its ally and coadjutor. So nearly are the two associations identical that not a few well-known names appear as directors of the one and of the other ; the object of both is to collect and diffuse information on the subject of industrial schools, reformatories, and ragged schools ; to give aid and advice in the formation of new institutions ; to act, in short, as voluntary boards of superintendence.

In both Houses of Parliament the subject has numerous active friends ; in the House of Peers, Lord Shaftesbury, amid all his beneficent labours, gives his special support to every measure for the advancement of the cause ; while

in the House of Commons, Mr Murray Dunlop, Mr Adderley, Sir George Grey, Sir John Pakington, Mr Kinnaird, and others, spare no exertion to promote it; and in the Parliament now assembling there is every prospect of the question, in all its branches, engaging a large share of attention.

The cause has also been greatly indebted to many private individuals, who, by their publications and their speeches, have forced it upon the public mind.

Miss Mary Carpenter's valuable works, and those of Mr Kingsmill, Mr Field, and Mr F. Hill, Mr Recorder Hill's able charges and speeches, Mr Plint's statistics of crime, the portion of the *Dublin Quarterly* appropriated to the progress of reformatories and prison discipline, the eloquent appeals of Dr Guthrie, the publications of Mr Mayhew, the essays which gained the prizes offered by Lady Byron and by the Reformatory and Refuge Union, the transactions of the two conferences held at Birmingham, and the pamphlets of Dr Bell, Mr Adshead, Mr Pearson, Captain Maconochie, Mr J. Murray, and many others, have unitedly brought the country to its present knowledge

of the number, the cost, and the danger of the neglected and criminal classes, and of the best modes of dealing with them ; and thus led to an unmistakeable resolution on the part of the public, to go forward, and not rest satisfied until the greatest attainable amelioration shall have been effected.

The object of the following pages is to make use of the facts already collected, and to endeavour to shew that *prevention* is, in every respect, better than *punishment*.

In order to this, it seems necessary to point out the source whence our criminal laws derive their highest sanction ; and how the various modes of punishment, enforced from time to time, have failed to deter from crime ; and that the improved prison discipline of the present day does not produce uniformly satisfactory results ; and that even a perfect and unfailing mode of *reformation*, if such could be found, would be infinitely inferior in value to *prevention*.

The mode of prevention by means of industrial feeding schools and reformatories—which supply exactly what the neglected outcasts and juvenile criminals want, nothing less and nothing

more—is detailed at considerable length, and its universal adoption strongly recommended on the twofold grounds of moral and financial superiority. The modes of endeavouring to reform prisoners are also considered; for though not the *best* good, still reformation is a great good, and earnestly to be sought by all practicable means, and it is a process which will never altogether cease to be required: so long as the world continues in its present state, there must be criminals to be reformed. The end to be kept in view is, not the visionary idea of extirpating crime, but the Christian idea of reducing it within the narrowest possible compass. Prevention and reformation are not rivals, but allies, necessary to each other.

There is a strong tendency in the British mind to maintain old laws and customs, however unsuited to modern times; and to this we owe many of our present feelings regarding crimes and criminals. There is a still stronger and more troublesome tendency, to believe in the power of Acts of Parliament to accomplish the purposes for which they are intended; and to think that, when once a well considered Act has been passed, then the work is done,

and its promoters may rest satisfied, and trust that the law will, of course, carry itself into operation. However true this may be of certain Acts of Parliament, such as those which impose a tax, or incorporate a company—in which provision is made in the Act itself for its being carried into effect—it is not so with enactments which affect moral and social questions. In them an Act of Parliament can do little more than clear the way, and give facilities to active personal exertion, without which the best laws can be of little avail. This is specially true of those laws which affect prison discipline, reformatories, and industrial feeding schools. If they are to be carried out solely by statutory officials, they must fail, for they will want that vital principle of personal activity which in moral questions is indispensable to success ; but if there be ample room left, and encouragement given to personal non-official exertions, and if the public continue to press forward in the cause, as of late years, abundant success may ere long be expected. A certain amount of legislation is necessary ; too much is to be deprecated.

The *work* can only be done by the public ;

it is a glorious field of exertion, whether we regard its immediate or its ultimate results. There is work for all ranks and all classes, and none can give help more efficiently than those who, in social position, are only a little above the level of the outcast. All classes of the community are interested, but none so much as those whose lot is daily toil. They, the main-spring of our national greatness, are placed, in God's providence, nearest to the neglected—unforeseen misfortune may press down their children to the lower level; and thus are they, even more than others, deeply concerned in the promotion of every measure, the object of which is to prevent the existence of outcast and neglected juveniles.

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CHAPTER I.

SOURCES OF CRIMINAL LAW.

WHEN modern public opinion on great moral and social questions is carefully analysed, it is found to be composed of a miscellaneous collection of thoughts and opinions, worked out by various minds at different times and under diversified circumstances. Pure simple principles are of perpetual application, while mixed principles can rarely be kept in good working order for any length of time. Ideas originally good and useful become inapplicable in altered circumstances, and yet are often retained with superstitious veneration. Of this our modern criminal law is an eminent example. When minutely examined, it will be found to be an accumulation of principles and enactments derived from very distant and different sources, and often not calculated for harmonious co-operation towards the desired result.

The original fountain of criminal law is to be found in the Ten Commandments, from which, directly or indirectly, all nations have derived the only sure sanctions of their criminal jurisprudence; and without them, statesmen and philosophers would to this day be

vainly debating as to what are crimes and what are not. The Ten Commandments are so short, that they can easily be remembered; they are so broad, that they include every possible offence; they apply with unfaltering equity to every rank, to every age, and to every clime. They are rightly held to be part and parcel of the Statute Law of Britain; and although originally enacted wellnigh three thousand years ago, they are still as fully binding upon us as a nation, as the last Act of the last session of Parliament of the United Kingdoms which has received the royal assent.

It is worthy of special notice, that no penalties are attached in the Decalogue to the breach of the several commandments. This very plainly indicates that it is God's will to intrust to His intelligent creatures, as an important part of their duty to Him, the responsibility of appointing just and suitable punishments for each offence. He gave the law; but He left it to men to appoint various modes of enforcing its obligation. He wrote it on the consciences of His rational creatures, as well as on the two tables; but He left it to mankind to devise the best means of procuring obedience.

The law is perfect, given by God himself, written by God's finger on tables of stone—a striking token of perpetual obligation.

When promulgated from Sinai, it was no new law; it was only the solemn repetition and condensation of the laws in force during the patriarchal ages; and not given to the Jews alone, but kept specially separate from their peculiar ritual laws, and promulgated for the obedience of all mankind. For the strict observ-

ance of one commandment a special reward is offered; and it is the law on the due performance of which depends the safety and good order of the family, and this is the foundation of all social wellbeing. The honour due to parents is far too lightly regarded in our own country by all ranks—far less than in former days; and across the Atlantic, if we may judge from the reports of travellers, the prevalent neglect of it threatens the most disastrous results. No part of God's law can be overlooked with impunity even to temporal wellbeing.

Another commences with the word "*Remember*," lest perverse minds should ever attempt to regard it as a local and temporary enactment, instead of one which, coeval with the existence of man upon the earth, was to remain in force, and to be "*remembered*," so long as there is a man to obey it.

To one crime, and to one only, a special punishment was assigned and recorded, and that long ere the Ten Commandments were given. It was solemnly enjoined that the murderer should *be put to death*. "*Whoso sheddeth man's blood, by man shall his blood be shed*" (Gen. ix. 6). This command was given immediately after the flood, when men were yet few in number, living within a limited space; and when they multiplied, and were dispersed over the earth, they carried it along with them, as the wisest and surest protection against personal violence. It accomplishes far more than the prevention of deliberate murder. It teaches every man to beware of beginning to do violence to his neighbour's person, lest he should be hurried on by

his passions to commit the fearful crime, and incur the awful penalty. It was reserved for sickly sentimentalists in modern times to criticise its wisdom and justice. The general voice of mankind recognises its necessity, its wisdom, and its mercy.

If we take a rapid view of the rise and fall of nations and religions over the whole earth, we shall find that countries and churches have risen or fallen exactly in proportion as these ten laws of Infinite Wisdom have been acknowledged or despised. Whatever of manly virtue existed in Greek or Roman, praised by their philosophers, and proudly recorded by their historians, had all been enforced, directly or indirectly, by the commandments given from Sinai. Whatever crimes led to the downfall of Babylon, and Nineveh, and Rome, had all been forbidden, hundreds of years before, by the same Divine authority. The Ten Commandments are the pure pristine source of criminal law; and it is happy for us that they enter largely in spirit, as well as in letter, into the body of British jurisprudence.

The philosophy, literature, and laws of Greece and Rome, form no small portion of those of modern Europe. The Romans were especially a legislating people, and much of what is wisest and best in modern laws is derived from the labours of the jurists of Rome. No small part of the great Code Napoleon was avowedly drawn from this source; and it is a proof of the soundness of the general principles laid down in the Institutes and Pandects of Justinian, that they are found perfectly applicable in the very altered circumstances of modern times.

The criminal law of heathens is, in many respects, less applicable to Christians than their civil law; but there are considerable traces of Roman criminal law still to be found in those of England and Scotland, especially in the treatment of crimes against the state. Severity was the leading characteristic of ancient criminal law, and but few mitigations were allowed to interfere with its execution. When we pass on from classical to mediæval times, we find a different phase of criminal law, and in many respects more severe; there is less of public justice, and more of private vengeance. The power of life and death was regarded as the ruler's safeguard; it was jealously maintained, and rigorously exercised. Wherever the feudal system was in full vigour, this power was claimed and exercised by every freeholder, or vassal of the crown, however paltry his possessions were; and its exercise was the great bond by which that oppressive system was held together. Nothing reconciled the nobles so much to the iron rule of their sovereign lord, as being authorised to exert like power over their dependents; and perhaps it afforded some little satisfaction to the oppressed to see, from time to time, their tyrant lords subjected to treatment as harsh and as unjust as had been meted out to themselves.

It was long ere the spirit of Christianity entered within the walls of prisons; and it was only by slow degrees, and in face of much and active resistance, that its legitimate effects began to be felt in dungeons. The mediæval lords and their laws regarded offenders as enemies, to be subdued and crushed; they did not think of them as fellow-sinners, to be chastened and reclaimed.

The first symptoms of improvement came through the Church. The various privileges and exemptions obtained or extorted by the priesthood from the barons, whatever the motive, all tended towards the more lenient treatment of criminals, until a new offence was added to the list, under the name of rebellion against the Church itself, which lordly priests and subservient barons vainly combined to extirpate with remorseless zeal.

The system of sanctuaries, where criminals were safe from the pursuit of law, except in very aggravated cases, was a necessary alleviation of the prevalent severity; and it is remarkable that, both in London and Paris, the spots so used in former days are still the favourite haunts of criminals, although the legal privilege has ceased for centuries. Sir Walter Scott's vivid description of "Alsatia" must be familiar to every one, though not always regarded as a remarkable illustration of the slow progress of rightful criminal jurisprudence.

Another large alleviation was gradually introduced, apparently much countenanced by the Church, by substituting pecuniary compensation for injuries either to person or property. There are few more curious chapters in the social progress of man, than that which is filled by the details of these compensations—varying in different countries and at different periods, in a manner which throws much light on the state of society.

Our modern laws have received more of their spirit from these various systems than many may at first be disposed to admit. To the severity of the feudal system

we owe a multitude of capital offences, which have only recently been removed from our statute-book. To the system of pecuniary compensation we owe the modern practice of fines—often inflicted for offences which ought to be dealt with in a very different manner, whether we seek the good of the criminal or that of the public.

It may be said that it is of no use now to inquire whence our criminal laws were derived; or how they came to be so cruel, and so little adapted to the various cases with which at last they had to deal; that these are matters of mere antiquarian curiosity—but it is not so. The physician, consulted as to the treatment of some deep-seated constitutional malady, breaking out in strange, and it may be contradictory, symptoms, anxiously inquires whether it can be traced to any hereditary taint. In like manner, the legislator who seeks to amend the criminal laws of his country, cannot with safety overlook their previous history, the principles on which they were framed, or the manner in which they were executed; for these have formed to a large extent the character of the criminals of the present day, and they have given a tone and colour to the whole feelings of judges and juries, as well as of society at large, in regard to them—and these are precisely the things with which modern law-makers have to deal.

On looking back to mediæval legislation, we find that every offence against the person was rigorously punished. The body of a man in the lower ranks was then his principal wealth, and to deprive him of an eye or a limb was to reduce him at once from com-

petence to poverty—he could no longer fill his place in the battle-field, and he was of little other value to his master. Fighting was for ages the only respectable profession for a layman, and everything connected with war was made the object of anxious legislation. The knight's horse was reckoned part of himself, and both it and his armour were esteemed of more value than the peasants who dwelt upon and cultivated the soil, while the mechanics who dwelt in towns were estimated at a yet lower rate.

The game laws, the fertile sources of crime and misery, and so inconsistent with modern customs, are, to a great extent, a relic of feudalism, tenaciously kept up in the midst of steamboats, railways, and electric telegraphs, like an unsightly ruin standing in the midst of a busy thoroughfare. What could be more absurd than the law as it stood a few years ago, by which a man might hold a million sterling of the public funds, and yet durst not shoot a partridge without incurring a severe penalty, unless he chose first to become the *servant* of the lord of a manor, and by his deputation be enabled legally to obtain a licence to kill game?

Game laws acquired their importance during the middle ages, from a desire to protect the only amusement valued by the feudal lords in the dull days of peace; and in more modern times a certain amount of privilege which these laws embodied, endeared them to the favoured class more even than the mere love of sport. They have been modified and improved, but they still give an unhappy colouring to much of our rural judi-

cial procedure, and are greatly at variance with the general state of society.

After the Norman Conquest, the game laws were one of the greatest causes of suffering in England, and the subject of much legislation, under the names of Forest Laws, Warren and Free Warren, Free Fishery, and many others. The idea was adopted that game was a royal property, and that the privilege of taking it could only be obtained by royal grant. This opinion was held even by so great an authority as Blackstone, but is completely proved to be erroneous by subsequent writers.*

These laws are not solely of mediæval origin; they are partly founded on the distinction established by the Roman law betwixt animals which could be domesticated, and therefore become property, and those which could not be tamed (*feræ naturâ*), and which were therefore to be the property of whoever captured them. This distinction might be of use when land was of little value, and was very possibly introduced by the Romans more for the protection of herds and flocks than for any other purpose; but it altogether overlooks the right of the owner of the land, arising from his property furnishing the food and shelter without which the animals could not exist.

The idea, however, is very prevalent to this day, that the animals denominated game ought to be the lawful property of whoever catches them; that, being *feræ naturâ*, no man can say they are his until he has captured them; and this notion combines

* See Blackstone, ii. p. 419, and Christian's Commentary, *in loco*.

with the innate love of sport and the vulgar love of money to keep up poaching in troublesome activity. We do not much grudge the poacher his game, and still less his amusement, but we do grudge most deeply the evil habits he acquires. There is no surer road to ruin for a country lad than to turn poacher. He begins by taking what he knows is not his own, in which he defends himself by a vague notion that it belongs to no other person, and he soon comes to take, as occasion offers, what he knows right well is the exclusive property of another.

We have no sympathies with battues or strict preserves; but, at the same time, we cannot see that, if a proprietor choose to appropriate part of his estates to rear pheasants or deer, he is not entitled to have them protected as much as sheep or short-horns, or why the man who carries off the one should not be counted a thief just as much as the man who carries off the other; nor can there be any good reason why a modern poacher should be allowed to defend his evil practices, both in his own eyes and in those of his comrades, by relying on subtle distinctions established by Roman lawyers for a totally different state of society existing two thousand years ago.

The fighting period gradually passed away; agriculture and manufactures rose to importance, and brute force ceased to be the sole standard of power and influence. Wealth, and all its concomitants, whether lands, or herds and flocks, or gold, or silver, became the objects of general desire. The spirit of criminal laws remained unaltered, but the object of them was

greatly changed : what was most valued was most protected ; and the theft of a sheep was without hesitation punished with death.

Society continued to advance—new species of property came to be of value which were unknown before, and this led to further additions to the catalogue of capital punishments. Forgery, in particular, was held up as a crime of unpardonable guilt in a commercial country, and punished as severely as murder itself. The powerful and the wealthy of the land were the lawmakers, and they enacted laws such as they thought best calculated to protect the public interests, which they very naturally regarded as nearly identical with their own ; for as in the middle ages, so indeed for long after, there was little sympathy on the part of the higher with the lower orders of society.

In these old laws there is one prominent idea—that of putting down crime by stern punishment. There are no attempts to reform the criminals, and the results teach us, from long experience, that excessive severity fails to produce the desired effect. Though few or none of the laws and practices thus noticed can be now said to exist, the principles embodied, and feelings expressed by them, have to this day a strong hold of the public mind, and influence, more or less, everyday proceedings ; and if they be manifestly unsound and inapplicable, the sooner they are denounced and abandoned the better will it be for the country.

CHAPTER II.

PUNISHMENTS OF DEATH AND EXILE.

DEATH is the severest punishment which man can inflict upon his fellow. Other punishments may cause more bodily suffering, and even death itself can be more or less aggravated by the manner in which it is inflicted. The essential difference betwixt it and all other punishments is, that it is final and irremediable; it brings all connexion with this world to a close, and the sufferer can no more be the object of human cruelty or human kindness. The heart of man naturally recoils from the punishment of death; but it does not, therefore, follow that those are in the right who object to its infliction for any crime, and under any circumstances. A judge can have no more awful duty imposed upon him than to condemn a fellow-man to death; to dismiss a criminal from his own bar to appear, after a few brief hours, before the bar of an offended God; and thus to fix the precise time when the period of probation, the day of grace, shall come to a close, and the unchangeable eternal state shall commence, when the trembling soul, violently driven from its tenement of clay, must appear before the sovereign Judge to receive its final sentence. This is

a duty which may well try the nerves of the firmest Christian man; and it is with shame that we read of judges in former days, who lightly and even gladly discharged it, and who became so hardened by practice, so warped by prejudice, and at last so indifferent to human suffering, that they insulted the agonies of the condemned by ribald jests and cruel mockings, and thus sent to the gallows or the stake, both in Scotland and England, men and women who were, not the disgrace, but the glory of the country.

Death sentences, at first employed principally to repress aggravated personal offences and political crimes, were gradually extended to offenders of a very different description. In our own country, parliaments, judges, and juries all concurred in this, until, in the course of the last century, offences, such as simple theft above 40s. value, and others, which would now be counted trivial, were invariably punished with death, and the laws of Britain became nearly as bloody as those of Draco. In consequence, on a Monday morning in London, a dozen of men and women, boys and girls, might be seen "hanged by the neck until they were dead," to the disgrace of our laws, and the unutterable debasement of the spectators. It is difficult to account for this. An Englishman is not naturally cruel, and no man on earth is more ready to forgive and forget an injury. Probably it may partly be attributed to his profound veneration for the laws in the abstract, and a deep feeling of the necessity of upholding them at any cost.

Criminal administration gradually became more

humane than the laws, and for many years it was common to pronounce sentences which there was no intention of carrying into execution ; and at length most of the bloody stain was effaced from the English statute-book by the exertions of Mackintosh, Romilly, and Peel ; and now there are very few offences punished capitally, not many death sentences are pronounced, and for years past none have been carried into execution except in cases of undeniable wilful murder. It would not now be easy to improve this awful portion of our law, except by not suffering the sentence to be pronounced unless it be intended that it shall be executed. There is something very unbecoming in a judge passing, or even recording, the awful sentence of death in the most solemn manner, and in the same breath assuring the criminal that his life will be spared. This is calculated to have an injurious effect on the spectators, but especially on the convict. It is well known that very few executions take place, and it is natural for every criminal to expect that his life will be spared ; and he is thus led to waste his few remaining hours in delusive hopes and futile exertions, instead of earnestly devoting them to those religious instructions and exercises which, in God's mercy, may prepare him for his awful change. It ought to be regarded as a fixed rule in criminal administration, that no judge shall pronounce a sentence which is not to be fulfilled to the letter ; and this holds as good in regard to secondary as to capital punishments.

After capital punishment, that of exile or banishment—or, as we have long been accustomed to term

it, transportation—is generally reckoned the most severe. It does not forcibly expel the convict from the world, but it drives him from his native land, and severs him from all that is dear to man in country and kindred. It is a natural and easy mode of clearing a country of its criminal inhabitants, and it may be managed so as to save a great deal of trouble and expense at home, where it is usually regarded with much favour, as effectually preventing all further annoyance from the same parties. Perhaps, however, no punishment is more unequal in its bearing on the exiles. To a young, unencumbered man, in full vigour, it is scarcely a punishment—it is only a change of scene, and perhaps for the better; but to a man leaving a wife and children, or other objects of affection, the punishment is often felt to be almost worse than death.

The Greeks and Romans practised it largely, chiefly as a punishment for political offences; and they seem generally to have expatriated, not the men only, but whole families. A body of political offenders, with their wives and children, charged with no offence but opposition to the ruling party, would naturally be welcomed as a valuable acquisition in a thinly peopled territory; but the arrival of a ship laden with the dregs of a corrupt capital, must have been viewed with abhorrence. The severest form of ancient banishment was to send to the mines, there to drag out the remainder of life in the hardest and most unhealthy labour.

There are two distinct varieties of this punishment: by one, the criminal is conveyed to a certain place, there to

remain; by the other, he is driven out of his native land, but left free to choose any other home he pleases.

During the middle ages this punishment could scarcely be inflicted, because the rising nations of modern Europe could not spare even their criminals from their scanty populations; and every man who could fight, whatever his character, was of value; and, moreover, there was no place to which they could well send them. During that long period the punishment of ordinary vulgar offenders seems to have been left very much to private individuals: every baron, though only a petty proprietor, had a prison for the correction of his vassals who offended himself, or of strangers who injured either him or his people; and his proceedings were mostly regulated by his own good pleasure, subject only to appeal to the lord paramount or the sovereign.

The discovery of the New World gave to Great Britain ample space for the disposal of offenders; and vast numbers were sent to the plantations of North America, both of very good and of very bad. The avowed plan, and probably the real intention, was to apprentice the banished to settlers, as servants, for the period of their sentences; * but in practice they were treated as white slaves, and even openly sold, and so lucrative did this prove, that, at some British ports, young persons, guilty of no offence, were kidnapped, sent off, and sold in the same manner to the highest bidder. The loss of our American colonies brought the system to a sudden close, precisely as occurred about eighty years after,

* Transportation Report, 1833, p. 1.

by the refusal of the Australian colonies to admit more convicts; and on both occasions similar alarms prevailed in England on account of the accumulation of thousands of convicts in the country.

A singular variety of banishment prevailed in Scotland until no very distant period. Magistrates of burghs banished the more troublesome offenders, such as notorious thieves, beggars, or gipsies, from the towns, and drove them out into the adjoining county; and in some cases this seems to have been done very formally—the town drummer beating the “Rogues’ March” behind them, and the hangman inflicting corporal punishment as they marched. The county magistrates, in like manner, banished their county rogues into the burghs or the adjoining counties; and, to complete the system, the supreme criminal court banished rogues out of Scotland, the penalty of death being attached to their return, and thus forced them into England, to the no small annoyance of the inhabitants of the northern counties, or induced them to ship themselves off to the plantations. In all this, one plain idea was carried out. The burgh magistrates, the county magistrates, and the judges of the supreme court thought only of delivering their own territories from the annoyance of the criminals; and when they had accomplished this only, they thought they had done well. But they took a purely selfish view of the matter, and did not bestow a thought on the duty they owed either to the criminals or to their neighbours.

The modern system of transportation commenced

in the year 1787, under authority of an Act passed two years before. The first band of convicts landed in New South Wales in 1788; and from that time up to the year 1838, when the subject was very fully investigated by a committee of the House of Commons, the total number thus sent out of the country was 103,031, or about 2000 a-year. For the first few years the number sent off was not great; but it gradually increased until it attained an average of betwixt 3000 and 4000 annually. Australia was selected as affording a boundless outlet for criminals, a country nearly as large as all Europe, almost without inhabitants, and possessing every variety of soil and climate. Sydney or Botany Bay was originally formed as a penal settlement, and the plan was to induce a certain number of non-convict colonists to resort thither, who, in addition to other advantages, were to have convicts assigned to them as labourers, who were to receive only food and clothing. The plan was much approved both at home and abroad; but unfortunately it was carried out with singular disregard to the most obvious principles by which it ought to have been guided, both for the good of the settlers and the convicts. It was not, perhaps, easy to be very careful in the selection of the early free colonists; but it is very evident that this was a point on which the success of the experiment must greatly depend; and from the recorded conduct of many of them, it appears that they were often quite as void of principle as the convicts, and differed from them in nothing but the name. At the present day, it can

hardly be believed that several of the penal colonies existed for many years without the presence of any minister of religion; and that, too, long after the settlements had implored the home authorities to remedy the evil.

The passage out was not unlike the "middle passage" of the slave trade: little care was taken to supply the physical, and none to supply the moral necessities of the unhappy passengers.* A few well-armed soldiers, perhaps commanded by a non-commissioned officer, that there might be no risk of disputing the orders of the ship captain, and an ample supply of muskets, cutlasses, and manacles, were the only provision made for their discipline; and thus the long voyage to the antipodes completed their education in crime. It began in a life of plunder and violence at home, was carried on effectually by the plan of frequent associated imprisonments, and was perfected on the way to their final destination. Sydney or Botany Bay was thus first colonised, not long after Van Diemen's Land; and other points of the Australian continent were afterwards selected as suitable for additional penal colonies; and, lastly, the public works at Bermuda and Gibraltar absorbed a limited number of the worst character; but New South Wales, and especially Botany Bay, are ever associated in British minds with transportation and convicts. The Australian system was completed by devoting a small peninsula in Van Diemen's

* See Browning's *Convict Ship*, in his "England's Exiles," for details of the improved modes latterly in practice for the outward passage.

Land, named Port Arthur, and Norfolk Island, one of the loveliest spots on earth, to the reception of the worst criminals from the other penal settlements—many of them guilty of crimes deserving death (but at times so numerous, in proportion, that the local authorities shrunk, for very shame, from hanging them), and all of them men of the most abandoned character. Norfolk Island, for a few years, was acknowledged to be a very “hell upon earth.”* Now, happily, it has been given up to a very different purpose.

Three different systems have been employed in treating the transports. Originally, they were assigned for the term of their sentences to free settlers as labourers, and after the expiry of the time they became free themselves, and might either remain in the colony or return home. When a cargo of them arrived in Australia at a time when there was a brisk demand for labour, the colonists flocked to the port and selected their men according to their apparent capabilities, precisely as a New Orleans slave-holder selects his negroes at an auction—only with this difference, that there was nothing to pay, and the arrangement was for a limited time. In theory, the colonist was bound to take every care of his man; and in or near head-quarters they were carefully superintended, and skilful mechanics and domestic servants were generally well treated. In the bush, or up the country, it was practically impossible to look after them, on account of the distance. They were entirely at the mercy of their employers; and though, on cause

* See evidence of Dr A. Matheson and others in Reports on Transportation in 1837-38.



shewn, they were delivered from a tyrannical master and assigned to another, it was in many cases a difficult and somewhat perilous step for a convict to complain of his employer. While the colonies were young they profited largely by this system, but as the number of free settlers increased it became less necessary, and its inherent evils became more apparent; and in place of individual assignment, the plan of labour-gangs, employed in associated work, was introduced, but with no good result. The old plan of assignment had the advantage of dispersing the convicts over the country, and thus to a great extent prevented their combination for evil. The labour-gang collected them into masses, and thus tended to the development of every evil inclination.

Transportation to New South Wales ceased in 1840, but was still continued to Van Diemen's Land; and for it, in 1842, Lord Stanley, in a very able despatch, laid down an entirely new system, by which the convicts, after passing creditably through a certain period of probation gang-labour, were liberated on probation passes (of several classes); and after a further period of this probation, during which they procured employment for themselves, they obtained a ticket-of-leave; and eventually, on a continuance of good conduct, a free or a conditional pardon. This was a well-devised scheme, and much good was anticipated from it; but it proved a complete failure, owing to the unexpected want of employment for the probation men, the colonies being at the time overstocked with labourers.

The last attempt to improve transportation was

made by Earl Grey in his despatch to Sir W. Denison, of the 27th April 1848. The experience of several years had given good hope that much reformation would be effected by the strict discipline of Pentonville, and the new plan was to send out only selected prisoners who had passed creditably through the various stages of the convict prisons and of associated labour at Gibraltar and Bermuda, and who, there was reason to hope, would prove valuable self-supporting settlers on tickets-of-leave. This, also, was a well conceived plan: but it had not a fair trial, for it was scarcely begun when the colonies took the matter into their own hands, and absolutely refused to admit more convicts, with the exception of Western Australia, which still willingly provides for a small number annually.

Such is a very brief outline of the history of transportation as practised by Great Britain for about sixty years. It is too obvious that in the earlier stages it was conducted with total disregard to the *moral* improvement of the convicts, and without any consideration of its effects on the colony. For a considerable number of years, however, it had ceased to be regarded as a punishment by many of the criminal class. They rather looked upon it as an advantageous change, and infinitely preferred it to imprisonment at home, even for a short period. Strange tales were brought home of convicts "rolling along the streets of Sydney in their coaches," and other men expected to be as fortunate. The discoveries of the gold fields put an end to all further idea of transporting rogues

to their neighbourhood. How strange to find that we had been sending our thieves at vast expense to the place where the gold they so much coveted was literally to be had for the gathering! If ever transportation on a large scale be resumed as a punishment, it must be managed in a very different manner. The supply of any locality must be carefully adjusted to the known demand,* and the expense to the country, which has been enormous, must be greatly reduced. For the year 1851, the gross cost of transportation and convict persons in Great Britain and Ireland, for 15,720 convicts, was £587,294, or, deducting the value of their work, £419,476; in other words, about 1-140th part of the national revenue was spent in punishing the 1-1729th part of the population convicted of serious offences.

In several respects there was great injustice done to the transports: no provision, as has been stated, was made for religious instruction—the very thing most wanted; no provision was made for bringing back the convict, if he wished it, at the expiry of his term—so that a sentence of seven years might very possibly be equivalent to a sentence for life; and, what was in many cases most cruel, no provision was made for sending out wife and family along with a convict, so that a sentence of transportation on a married man involved a sentence of divorce on an unoffending woman, and this caused a vast amount of sin and wickedness both at home and in the colonies. It would have been un-

* No fewer than 17,000 were sent to Van Diemen's Land from 1840 to 1845.—*Evidence on Transportation*, 1850, p. 1.

just to force the wife to accompany her convicted husband—it would have been only fair to enable her to do it if she chose. Of late years, this evil has been partially, but not fully remedied; in any new scheme it ought to be completely arranged that wives who desire it shall be sent out with their families at the public cost, after the convict has successfully passed a certain period of probation. Had this been done from the first, the worst evils of the old system would never have been developed.

This other lesson seems to have been taught by past experience, that transports for a long term, or for life, generally do well; while transports for short periods rarely settle down to industrious labour, they think constantly of the day when they shall be free to return home. If this be correct, it points out clearly the advantage of only transporting for life, and adopting other modes of dealing with criminals formerly sentenced to shorter periods.

There are in the British dominions many localities to which transports might be sent, if necessary; but it will probably be found that even our most hardened criminals can be more effectually punished, with more hope of reformation, and at far less expense, at home than abroad: but the idea of transportation has become so completely fixed in our minds in connexion with criminals, that it is difficult to think of any scheme of criminal administration of which it does not form a part.

CHAPTER III.

PROGRESS OF PRISON DISCIPLINE.

PUNISHMENT for crimes and prison discipline for criminals, though usually confused, are two very distinct things in themselves, and may be separately defined. The object of punishment is to deter from crime by the infliction of suffering; the object of prison discipline is to reform the offender. In practice, those two objects are and ever must be combined; the one or the other may predominate, but every sentence contains both, and the due adjustment and application of the two constitute the science of penal legislation.

Prison discipline was neither known nor practised by the ancients; as we now understand the term, it is wholly of modern growth. Plato, indeed, in a passing remark, suggests the propriety of having three distinct kinds of prisons:* one a watch-house, near the market-place, for the safe keeping of those who would flee from justice; another as a house of correction for the disorderly; and the third as a place of punishment, to be located in a remote wooded desert place—a wonderfully near approximation to modern custom, but probably only the *idea* of the profound thinker on all human

* De Legibus, x., p. 908. (Vol. viii. p. 224, Bek.)

things, not the description of what was ever reduced to practice in any part of Greece.

The ancient laws of Athens, until modified by Solon, were proverbial for their cruelty; those of Sparta for their stern simplicity and disregard for the nuptial and paternal relationships; both, to a large extent, legalised foul crimes, instead of restraining them, and in such a state of society the plan of reforming criminals was not likely to originate.

The only notion which the ancients had of criminal law, was to deter from crime by personal suffering. Notwithstanding the progress made by their philosophers in many moral and social questions, it does not seem ever to have occurred to them to treat a criminal in any other manner, and their punishments seem to have been purely *vindictive*, inflicting pain on account of the past offence, and as a compensation due to the public.

Political crimes were punished with special rigour, and often visited with wholesale vengeance; an example followed in our own country to no small extent, especially in the reigns of the last monarchs of the house of Stuart. The punishment of high treason and the treatment of traitors were largely borrowed from the Roman laws.

The principal punishments of the ancients were death, banishment, and scourging, and not unfrequently two of them were inflicted for one offence. Imprisonment was not much employed as a punishment, but rather as the means of safe custody previous to trial, or after trial, previous to the execution of the sentence; and even for those there was no sufficient

prison accommodation. And hence the practice of allowing prisoners to go at large, *chained* to the soldiers who had charge of them; and we read of criminals under sentence of death being allowed to find security to appear on the appointed day.

We have few notices of the state of prisons in ancient writers. The earliest mention of them is in the Scriptures. That in which Joseph was confined in Egypt seems to have been a place of safe keeping before trial; while that of Sampson was evidently a place of punishment as well as of custody. It is interesting to remark that the Philistines employed his strength in grinding corn—one of the few remunerative labours which the sightless giant was capable of performing.

In Rome, the Mamertine and Tullian prisons still remain, and are among the best ascertained relics of ancient times. The upper, or Mamertine, measures 25 feet in length, 18 in breadth, and 13 in height; the lower, or Tullian, to which the only access was by a circular aperture in the floor which separates the two, is still smaller, viz., 18 feet long, 9 wide, and 6 high, and with no light or air except from the entrance hole in the roof. These are said to have been for many centuries the only prisons in Rome; and this alone would prove that imprisonment was not there used as a punishment, for only a small number of criminals could possibly be contained in them, and we know that at times the number of offenders in Rome was very great.

The ancient prisons, however, were often the scenes

of capital punishment. The accomplices of Catiline* were strangled in the Tullian; and there the unfortunate Jugurtha† was left to perish of hunger, ‡ a species of prison discipline also in occasional use in Athens and Sparta; in short, the few allusions in classic writers, and the prisons themselves still remaining, give us distinctly to understand that the comfort of prisons and prisoners were little regarded in ancient Greece and Rome.

The punishment of death was inflicted in various ways: by poison, by starving, by beheading, by casting over a precipice, by stabbing, by crucifying, by burning, by burying alive, by wild beasts, and by compelling to fight with gladiators. Among heathen nations, human life and suffering are little regarded. In the latter years of the Republic, and especially under the Emperors, the punishment of criminals in Rome assumed a very peculiar aspect, being made subservient to the public amusement. Men condemned to die were forced to enter into mortal combat with each other, or with savage beasts, and thus expiate their crimes by their expiring agonies, in presence of the delighted matrons and virgins of Rome; while others, wrapped up in highly combustible materials, were employed as torches to give light to the diabolic orgies of the public gardens—a state of society altogether which we can scarcely realise, but of which traces may yet be found in a Spanish bull fight.

In the middle ages, if prison discipline was over-

* Sallust. *Cat.*, cap. lv. † Plutarch, *Life of Marius*, cap. xii. p. 412.

‡ After six days of starvation.

looked, prisons were multiplied and filled with occupants. Every feudal chieftain had a right to possess and use a prison; and his prisoners were treated according to his arbitrary pleasure, or the caprice of his officers. Many ecclesiastics possessed the same power, but rather as feudal lords, holding fiefs, than as churchmen. Prisons were, during this period, much used as places of *punishment* for crimes; and, besides this, they were largely used by the lay lords to enforce performance of duties by refractory vassals, who could scarcely be called criminals, and by ecclesiastics, to constrain the professed renunciation of obnoxious opinions. For such purposes, the more wretched the prison, and the scantier its fare, the sooner was the end attained. The mouldering ruins of many a picturesque old castle have witnessed much bitter human suffering.

Torture was freely employed, it was even studied as a science, so that the greatest amount of agony might be inflicted without destroying life; and also in such a manner that the miserable object might the sooner be ready to be again subjected to it. It was a principal part of prison discipline for many centuries; and when in Italy Beccaria* first lifted up his voice against it, and demonstrated its folly as well as its wickedness, men were amazed at his daring to meddle with a practice so time-honoured, so useful, and of such easy application. It still lingers in the *cárcere duro* of the Italians, and in the knout of Russia.

The labours of Howard first directed the attention,

* Beccaria dei Delitti e delle Pene, cap. xii.

not of England only, but of all Europe, to the awful condition of prisons and prisoners. Howard was a man whose equal has rarely adorned our world. He had a great mission given him by God ; he felt His call, and he gave himself unreservedly to His work, and thus doing, he was enabled to accomplish it. He did more for his fellow-men than any other modern man, save, perhaps, his great contemporary, John Wesley ; and without one thought of self, and without a moment's regard to what others thought of him, he raised for himself a monument of fame which shall endure while the world lasts, and only shine brighter as time rolls on.

It is a mistaken view of the labours of men like Howard and Wesley, to regard them as limited to the special objects they set before them. They act indirectly, but not less powerfully, for the good of society at large ; and there can be no doubt that the active burning zeal of these two men did much to rouse the torpor of society in the middle of last century, and thus laid the foundation of many of the beneficent enterprises of modern times.

Howard was the founder of modern prison discipline, and his energies were directed alike to the physical and moral evils of prisons as they then existed. He visited most countries of Europe on his mission of mercy. His plans and wishes have, to a very large extent, been carried out in Britain ; and, except in the single circumstance of personal confinement, there is not now one feature of a prison in Howard's days which is to be found in our present prisons, unless,

perhaps, some of the old lineaments may still be traced in Newgate, on which public opinion has long since pronounced the sentence of condemnation, though its execution has been strangely delayed.

The seed sown by Howard has, in our own country, brought forth much valuable fruit. On the continent, though his name be still well remembered and highly honoured, his labours have proved of far less value; nor is it difficult to see the reason. In those countries where the Greek and Romish Churches are the regulating powers of all social and religious arrangements, there is a steadfast, unyielding rejection of the use of the Word of God, the only effectual remedy for the cure of sinful men, and that on which Howard alone relied, and without which he calculated on no success. While this, the only specific remedy, is withheld, the cure need not be expected. External moral reform, of great value to society, may be accomplished without the Bible; but true reform, conversion of the sinner to God, can only be wrought out in the way appointed by God himself.

Many of the continental prisons have been constructed in conformity with Howard's suggestions; and some of them are very models of architectural skill and contrivance, of cleanliness and of convenient arrangement. The externals leave little to be desired; but the spiritual work, save in the Protestant states, is wanting. The best prisons of the continent are probably those of Holland, Prussia, and Bavaria.

In Italy, the dungeons are still very much as Howard describes them nearly a century ago; the principal

change is, that at this moment there are many more honest men languishing within their walls than in Howard's days, for whom not even the loud voice of indignant Europe has hitherto been able to procure the treatment vouchsafed in other lands to the vilest malefactors.

Perhaps in no country did Howard's labours make so little permanent impression as in that in which his ashes repose. Prisons of magnificent structure may add to the splendour of Russia's cities; but the black bread and the dirty water, the knout, the whip, and the chain, with Siberia in prospect, leave the wretched inmates nearly as they were in the latter part of the last century. Information on the subject is but imperfect; despotism publishes no blue books to reveal its own misdeeds; but this is the impression made by the facts communicated by our best-informed travellers, by incidental statements, and not in regular discussion of the subject.

In Britain's more genial soil, the result has been very different. Howard's plans have not only been fully realised, but his principles have probably been carried out more nearly to their legitimate ends than he ever could have anticipated. It is not prudent to boast of our country, and yet we are bound to rejoice and be thankful that Britain stands pre-eminent among the nations for institutions calculated to remedy all the woes, and supply all the wants of humanity, be they physical, moral, or religious; and we may also well rejoice that our great rival in this noble work is

the vigorous off-shoot from our own stem, now growing up so vigorously on the other side of the Atlantic.

There is no benevolent enterprise among us which more deserves our sympathy than that which expends its energies on prisons and prisoners. Its immediate objects are our fellow-citizens, our neighbours; and its results ought to contribute largely to our individual comfort, in the greater security of person and property. There is not much of excitement or romance to lure mere sentimentalists to the work; it brings at once into contact with the most depraved, the most repulsive of our race; and yet a noble band have given themselves to it; leaving the comforts and luxuries of palace homes, they do not hesitate to devote their daily personal services to minister to the bodily wants, and, far more valuable, to give religious teaching to the souls of unhappy prisoners; beings so abject, and previously so neglected, that the very accents of kindness are to them as an unknown tongue. The Frys, the Gurneys, the Buxtons, and their associates ought ever to be regarded as among the greatest benefactors of our country.

Much has been done for the physical comfort of our prisoners; some say, too much. Doubtless, in many cases too much money has been spent in building prisons; but it does not thence follow, as a matter of course, that the prisoners are thereby made more comfortable. Each cell of the great prison at York cost £1200; and therefore each prisoner occupies a lodging which, at five per cent., costs the county of

York £60 a year ; and yet the cell is no way safer, better, nor more comfortable than those in other prisons which cost less than a tenth of that amount. It is well, however, that this great and wealthy county built that prison, just to shew that mere lavish expenditure is of no avail either for the safe custody or the reformation of culprits. It is a model to be studied, not copied, but avoided.

The progress of prison architecture has been steady. At the first discovery by the public of the state of their prisons, there was a manly determination that the evil should be remedied, at whatever cost ; and if a town or a county choose to ornament the neighbourhood by erecting a prison or a poor-house in the semblance of a castle, at their own cost, the public have no great right to complain. It was natural to make mistakes at first, but experience gradually corrected them ; and now the first principles of building and draining, warming, ventilating, and lighting are well understood and generally applied. The greatest fault of modern prisons is, that they are made too large. It would be far better to increase their number, for prisons are just like schools, the larger they are, the less can there be of personal influence exercised by governors and chaplains on each prisoner ; nor does the number of turnkeys and lower officials seem to be diminished, but rather increased. We may feel satisfied that, so far as buildings and material arrangements are concerned, our prisons have nearly, if not altogether, reached perfection. This portion of Howard's plans has been thoroughly

carried out. The physical wellbeing of prisoners is effectually cared for, so that their average health while in prison is greatly above that of the same class of persons at liberty. Changes as great have taken place in the characters of the persons to whom the care of prisoners is intrusted. A hundred years ago, the general practice was to select the sternest, harshest, most unfeeling men who could be found to fill the offices of governors and turnkeys; and if they had any kindly feelings in their nature when appointed, the work they were set to do speedily effaced them. The only discipline employed was brute force, the handcuff, the chain, and the lash; but this must not be charged specially against the prison officers, it arose from the general state of society at the time. Harsh and un pitying itself, it never imagined the possibility of shewing kindness to those who had offended—it sought only to punish by taking vengeance on them.

Prison discipline, in its present meaning, was utterly unknown. It was a recognised principle that the horror of a prison, the “squalor carceris,” was a necessary part of the punishment, without which no good would result. It was a compound of filth and damp, bad air and bad food, all administered by uncontrolled and irresponsible power. Even the judges of the land calmly contemplated it, in passing sentence, as an important part of the punishment to be endured. It was effective enough in various ways. To many a prisoner it was equivalent to a sentence of cruel, lingering death—he never left the prison but to be carried to the grave. To those who

survived and were liberated, it was in most cases tantamount to a sentence to the most abandoned course of conduct during the rest of their lives. It effectually and permanently brutalised them. If they had any remains of good feelings or decent principles when incarcerated, they left the last trace of them within the prison walls, and returned to the world something like incarnate fiends, the just terror of the country. But it also produced effects of a different description, directly affecting parties who did not regard themselves as in any way amenable to prison discipline. A disease of a peculiarly malignant character, called the gaol fever, was produced by the filth, and the crowding, and the bad feeding; and on more than one memorable occasion it darted away from its immediate victims, and seized in open court upon judges, jurymen, witnesses, and spectators, and hurried them by hundreds into unexpected graves. This fearful demonstration of the state of prisons excited the alarm of the whole community, and effectually prepared men to listen to Howard's appeals, and thus led to a gradual change of system. If the physical treatment was thus bad, the moral was, if possible, more to be reprobated. The only consideration was secure custody. There was no separation of the youthful culprit charged with his first petty offence from the most accomplished aged criminal. They were forced to associate together, by day and by night; and many confessed on the scaffold that they had learned ten times more villany in gaol than in the world; that they had scarcely known how to commit crime had they not been trained and

educated to it in the House of Correction. In many prisons there was not even separation of the sexes—boys and girls, men and women, the best and the worst, were all locked up together. Nothing but the blackest evil could result—the good were made bad, and the bad, worse.

It was common for prison governors to contract to furnish the food of the prisoners; and from this much of their suffering arose, for it was the interest of the governor to feed them at the lowest cost, and probably he derived from this source the greater part of his emoluments. Clothing does not seem to have been usually furnished, at least not systematically; and those who took with them into prison money or other valuables were plundered by their comrades, without redress, and without remorse. Little property, however, could reach the cells, for the captives were well fleeced betwixt the outer gate and the cell door, by the various prison officials, under the name of fees.* The only prisoners who had any chance of good treatment were those who had friends outside, able and willing to supply them. They could easily purchase many indulgences from their gaolers, and could command the forbearance, perhaps the willing obedience, of their comrades.

To complete the atrocity of the system, there were fees to be paid on liberation; and not even the jury's verdict of acquittal set a prisoner at liberty unless he had the means of discharging them. Hundreds every

* From Chesterton's "Revelations," it appears that these systems continued in full vigour even to our own day. See vol. i., c. 4, 5.

year lay rotting in gaols on this account; and it was a common and most valuable form of private charity to pay these fees, and set the prisoners free. There were no gaol chaplains nor teachers established by law; private exertions in rare instances discharged the duty, but that only to a very limited extent, and public opinion was wholly unconcerned about the matter. The rogues had committed crimes, they were most properly put into prison; and while there, they could commit no more, and the longer they were kept the better.

Such was the state of English and Scottish prisons when Howard began his work, and led the public to feel its responsibility. It is not too much to say, that had the deliberate purpose been to devise the scheme which should at once do the least good and the most evil, both to our criminal population and to the public, it would have been difficult to have improved that which existed, and not a few traces of it still exist in our criminal procedure.

The change has been very gradual, but steadily progressive. The first great step was to improve the prison buildings, and in this direction the present age has gone quite far enough. The next was the introduction of the classification of prisoners, so that, at all events, the sexes were separated, and the young trembling offender was not exposed to be hardened and corrupted by the older criminal. Gradually work was provided; the necessary food and clothing were furnished at the public cost, and duly supplied, independent of prison officers; and legal fees were abolished.

The last and greatest improvement of all was the introduction of the *separate system*. This is, and ever must be, the first essential step in right prison discipline ; no other plan presents the same advantages. It was, however, stoutly opposed by many, like all great changes, however good. Some said it was too costly, some denounced it as too cruel, and others held it up as too luxurious, depriving a prison of almost all its terrors. The right view of it at the time, and that which its supporters maintained, was to regard it as a great moral experiment, founded on sound principles, if they could only be effectually and safely carried out in practice.

The greatest advantage of the separate system is *negative*, but not on that account the less efficient : it puts a complete stop to the worst evil of the old system ; for under it no prisoner can possibly be made worse by another prisoner ; no free intercourse is permitted ; there may be a very little by stealth, but not to any great extent, else it is at once detected, nor can it be employed to any corrupting end ; no prisoner, in a well conducted gaol, knows who is the inmate of the two adjoining cells ; in fact, under it each prisoner is so isolated from the others, that he may almost regard himself as the sole inhabitant of the prison. This is not the only advantage ; it establishes at once a perfect system of order. The officials have only to deal at one time with each individual cell and its inmate ; there can be no combination, no outbreaks, as under other systems—and it is a very different matter to deal with one refractory prisoner in

a separate cell, and to deal with fifty or five hundred in a common day-room. The prisoner is not left to pine in solitude, regular work and instruction are provided, and numerous visits from officers break in upon the loneliness of his cell. In a well arranged prison no one passes an hour unvisited. It does not appear, save in rare instances, to exercise any injurious effect either on the body or the mind, and to this point very special attention has been directed.* Many persons dreaded it at first on this account, probably led to do so by the reports of the working of the silent system tried in America. There is no similarity between them. At Sing Sing the attempt was made to enforce unbroken silence for months and years, except when joining in public worship on Sunday, and all the time the prisoners worked in gangs together, and it would be difficult for imagination to conceive anything more unimproving or more cruel—a moral torture worse than the rack or the drop of water. Could the system be enforced, it would be truly a heavy punishment, but it is too unnatural to be practicable without the use of crushing severity to enforce it, and is believed to have been altogether abandoned. The prisoner under the separate system is at liberty, nay, is required, to speak many times a-day with the various officers who visit him.

In some large English prisons a different system has been introduced, known as the Associated Silent System. It has had fair play, for it has been tried in some of the best managed prisons, such as Preston

* See Colonel Jebb's Annual Reports.

House of Correction, but the results do not seem favourable. Under it, the prisoners are classified, as far as possible, according to their crimes and previous characters, and are employed at work, assembled in large rooms, where speaking and every other sort of communication are strictly prohibited. They are seated at considerable distances from each other, and watched by a numerous body of officers.

There are many objections to this plan, the greatest, perhaps, is that all the prisoners see one another, and each becomes thoroughly acquainted with the faces and figures of all the inmates, so that they are able ever after to recognise each other as known criminals, and nothing can be more detrimental to the hope of future reformation. There is no possibility of preventing communication in this manner; the prisoners' lips may be closed, but their eyes are wide open, and most actively employed. No one can stand for half an hour in one of their workrooms without becoming aware that signals of all kinds are flying around him, and that all the care and ceaseless activity of the officers can, in many cases, neither prevent nor detect them; when discovered, they are, of course, punished.

Any system of discipline is morally injurious, whether in prison or elsewhere, which the objects of it know can with difficulty be enforced; it trains up to a perpetual endeavour to do what is known to be wrong, and ought, therefore, to be carefully avoided. To collect together in one room a number of young men in full vigour, and in the exercise of all their

faculties, and tell them they must have no intercourse with each other, is to demand a great deal too much. They may be prevented from *talking* audibly, but they will soon find other modes of *conversing*. One recommendation of the plan was to save expense; but it cannot do so in any prison where there are separate sleeping cells, and none other ought now to be tolerated. If it be evil to associate prisoners together during the day, it is far worse to place them in numbers in large dormitories during night; no watching can prevent communication, and this both watchers and watched admit to be the case. It was, perhaps, well to try the experiment, but the sooner it is now abandoned the better. It is greatly preferred by the criminals themselves to the separate system, and this alone is a strong argument against it; they find it much more amusing to work and sleep in rooms with two or three hundred comrades than in cells by themselves. Some, however, say that the separate system is too luxurious; that a convict in a prison cell enjoys far more comforts than many an honest working-man possesses in his own home. It is too true; but what can be done? Many of our labouring classes do not live in the comfort which their industry and their ability entitle them to enjoy, and unhappily neither the laws of the land nor the exertions of their richer neighbours can do very much for them. It depends upon themselves; and whenever they set to work to regulate their conduct on sound Christian principles, whenever they abandon sinful pleasures and indulgences, and seek to live honest and godly lives, they

speedily find themselves rising in worldly comfort ; they find that though they have not enough to procure them sin and comfort together, they have enough to procure them comfort without sin, and with their toil they get that rich blessing which adds no sorrow.

It must be admitted that a prisoner in a modern prison enjoys many comforts, and we dare not now give them unwholesome or insufficient food, nor build for them dirty and unhealthy prisons. Everything provided must be clean and wholesome ; but it must not be forgotten that, with all his comforts, the prisoner wants the priceless treasure of freedom. He feels himself no longer a man, he is but a machine ; all he requires is provided for him, but he does not earn it, he must have it whether he will or not, and this takes away its sweetest relish. His every movement is regulated for him without his consent, and in this lies one great part of the effect of imprisonment as a punishment. The ordinary class of prisoners are accustomed to unrestrained freedom of action ; deprive them of this, and they are severely punished. They are accustomed to live constantly in the society of their comrades ; deprive them of this, and all the comforts of the best constructed prison and the highest rate of dietary will not compensate the loss.

The position of a prisoner in a separate cell is altogether calculated to promote his improvement. He is secluded from all external corrupting influences, and he is so placed that the instructions of chaplains and teachers, which otherwise would be only irksome, are welcomed by him as a pleasing variety, even if he

do not regard them in their true light. This is the first door of entrance into the mind and heart, and experienced officers well know how to avail themselves of it. In his cell the prisoner has ample time to meditate on his past career, his present disgraceful position, and his future prospects; and every possible motive to well-doing is earnestly and affectionately set before him. There may still be improvements in the separate system introduced by further experience, but even as it is, it is the greatest step ever taken on behalf of criminals. It is the only system yet devised which protects them against all contamination in prison, and presses religious and secular instruction upon them in an attractive form.

Another invaluable modern improvement is, providing employment, as a matter of course, for every prisoner, unless otherwise ordered by his sentence. In former times, the addition of labour to a sentence was regarded as an aggravation of it; but now, so completely has opinion changed, that to deprive of work is a common prison punishment, and to be sentenced to sit all alone in a cell for ten or twelve days with nothing to do but to think, is felt to be a heavier punishment than a much longer imprisonment with the usual prison employments. There is, however, the occasional addition of *hard* labour to the sentence. This is now carried out by the tread-wheel, the crank machine, or picking dry instead of softened oakum.

The tread-wheel was reckoned a splendid invention in its day,* but it is now nearly out of fashion. It

* For its history, see Chesterton's *Revelations*, vol. i., c. xii.

has all the objectionable features of the associated workroom, and various others belonging to itself ; but, as its days seem to be numbered, it is needless to enumerate them. The lately invented crank machine is a solitary employment ; and nothing more wearisome can well be imagined than to turn a wheel ten or twelve thousand times a-day, the crashing sound of the gravel which loads the machine grating on the ear at every revolution. Like the tread-wheel, it has the radical defect of performing no work ; and if it do not amend the prisoner, it does nothing. There is one objection which appears to apply to all these mechanical contrivances—there is a certain *knack* in doing the work, which prisoners find out by practice, and after the discovery their task becomes comparatively easy. It is very distasteful to the class of vagrants, and seems really calculated to deter them from returning to prison. Its effects on prisoners do not seem to be injurious, but they require to be watched, and it is altogether unsuited to those who are affected by heart complaint or other organic disease. It is, however, very questionable whether labour should ever be employed as an aggravation of a prisoner's sentence. It would be far better to prolong the period, and leave the time to be employed in the ordinary prison occupations. One great end of the whole of modern prison discipline, is to inspire prisoners with a taste for industrious labour ; and to make work, by name, a part of their punishment, does not tend to this, but must have the contrary effect. Prisoners are well aware that

neither the tread-wheel nor the crank is applied to any use, and they are disgusted by being forced to toil severely, and yet only beat the wind all the time. It would be far better to abandon the idea of employing labour in any form as an aggravation of sentence, and to allow it rather to be regarded as a boon by the prisoners, which it is almost invariably felt to be under the separate system. It is strange to have our judges ordering labour to increase punishment, and our prison governors taking it away as one of the severest punishments which they are permitted to impose for breach of prison rules.

There is difficulty in procuring remunerative prison work. The staple employments are tailoring, shoe-making, matmaking, and weaving; but few prisoners are skilful workmen, and most of them are ignorant of any trade, and, of course, their labour is of little value for many months. This is not the proper test of the value of the work done: it lies not in the amount of profit earned by a prisoner, but in teaching him habits of industry, and a self-sustaining occupation. In prison, their time is often so well employed, that men are able, on liberation, to support themselves in honest industry by trades there learned, and they never in after life forget the habits of patient industry then acquired; and this is the true value of prison labour.

The modern system of prison discipline received its most valuable improvement by the employment of chaplains and teachers in every prison, to labour among the inmates. At the present day, the idea of prison

chaplains and teachers is so familiar, that no one thinks of a prison existing without them; but at the beginning of this century, and even until it had run over a whole generation, they were hardly in existence, save here and there; and one only, the Ordinary of Newgate, was firmly fixed before the public eye, as a never-failing portion of the spectacle at a London public execution. No men so much require instruction as our prisoners. They are generally grossly ignorant, even of the commonest things; and the fact of their being criminals, proves their want of religion; and yet, as a class, they are probably above rather than below the average in talents, sharpened, but misdirected by their pursuits.

No one in Britain has paid more attention to the educational state of prisoners than Mr Clay, the chaplain of Preston House of Correction for upwards of thirty years. In his Report for 1853 and 1854, he states,* “It must not be forgotten, that of the thousands imprisoned each year, in this county, only two in a hundred can read and write properly.” In his Report for 1850 he states,† “that of 1636 males under his charge, *it is a fact* that 674 were unable to read in the slightest degree; 646 were ignorant of the Saviour’s name, and unable to repeat a word of intelligent prayer; 977 were ignorant of the reigning sovereign’s name; 957 were incapable of attaching any proper meaning to such words as *virtue, vice, righteousness*; 1111 were unable to name the months of the year in their proper order; and 479 were

* Page 77.

† Page 53.

unable to count to a hundred, except in some cases by scores." A similar testimony is given by the chaplain of Northampton prison for 1855. He states, that of 475 prisoners, 168 knew not the name of the Saviour ; 248 knew not the name of the Queen ; and 190 knew not the names of the months of the year.

Nor can Scotland boast of any great superiority over England in this matter.*

The total number of prisoners in Scotland in 1855, was	21,238
Of these, could not read,	4,474
Could read a little,	11,328
	<hr/>
Therefore, could not read to any useful purpose,	15,802
Could read well,	5,436
	<hr/>
	21,238
Could not write,	9,259
Could sign name merely,	701
Could write with difficulty,	9,780
	<hr/>
Could not write to any useful purpose,	19,740
Could write well,	1,498
	<hr/>
	21,238

Take the returns of a prison for the criminals of a Scotch county and city.

The state of education of prisoners in Aberdeen is similar to that of the rest of the country.†

The total number was, in 1855,	756
Of these, could not read,	199
Could read with difficulty,	384
	<hr/>
Therefore, could not read to any useful purpose,	583
Could read well,	171
Superior education,	2
	<hr/>
	756

* Criminal Offenders, Scotland, 1855. † Governor's Report for 1855.

Could not write,	430
Could write with difficulty, . . .	299
Could write well,	25
Superior education,	2
—	756

Such being the educational state of prisoners, it was high time to commence the work of instructing them; and Britain may well be proud of the men now engaged in the task. As a body, they possess all needed accomplishments, and they devote their whole energies unsparingly to their work. One class of teachers imparts the elements of secular knowledge; and another, such handicrafts as may be required; while the chaplains give religious instruction only.

The relative positions of chaplain and prisoner are highly favourable to the communication of truth. The chaplain's visit breaks in upon the monotony of the cell; his social position and acquirements command respect; and there can be no possible suspicion of interested motives. His labour is all for the prisoner's good, and not for his own, and that the prisoner must feel. There is no situation so favourable for imparting and receiving knowledge, as when teacher and taught are shut up in a small room, with no person or thing to disturb or distract attention; then the strong mind can best act upon the weak, and the full mind replenish the empty. One hour so spent is worth ten of promiscuous class teaching, in forming permanent impressions; and this is the most valuable of the chaplain's work, and occupies most of his time.

It is no doubt very desirable to habituate prisoners to attend public worship on Sunday, a practice to

which most of them are previously strangers, except it be for professional purposes; but the practical difficulties are very great. A faultless mode of accomplishing it has not yet been invented, not even at Pentonville, where much ingenuity has been displayed in the arrangements. One unruly prisoner can disturb the whole congregation if he please. The opportunities and temptations to communicate with each other are irresistible; and this leads to more breaches of prison rules, and more punishments, on Sunday than on any other day, and this, of course, produces an undesirable association in the prisoner's mind of Sunday with punishment.

There is a certain rude feeling of honour even among criminals, as most prison officers know well; could not use be made of this, even so far as to allow all the better behaved to meet like Christians on the hallowed day, without masks, without being locked into separate stalls, or covered over with strong iron netting, like so many wild beasts in a menagerie? This might, in the lower prisons, be made a privilege much to be desired, and a step in the acquisition of character, the loss of which would be deeply felt. The prison congregation might be easily arranged in divisions, each of moderate numbers, so as to facilitate superintendence in the largest prison; and as the prisoners in the convict prisons are soon to be associated at public work, the objection of recognition does not apply in them. The difficulties of carrying out this plan in the smaller prisons, and in the earlier part of a criminal's career, are considerable; and, in truth, the whole sub-

ject is involved in perplexity. The public worship of God is an ordinance far too precious to be lightly withheld from our fellow-men ; even though criminal, they need its benefits more than others, if only their own waywardness will admit of its unobjectionable application. If one mode of it be found unsuitable, then others must be tried until success be attained.

There are two different classes of reformed prisoners, and it is desirable to distinguish betwixt them. One class, and by much the more numerous, is only outwardly reformed ; there is no heart-work in the change, it is wholly external. They have found that their crimes have not been profitable, for they have brought much that is distasteful on themselves ; and therefore that, as a matter of prudence, they had better in future live honest lives ; and with some of them advancing years, though far short of old age, diminish the depraved tastes which tempted to crime. All these are outwardly visibly reformed, and society gains much thereby. From being its disgrace and its torment, they may very possibly have become decent, self-sustaining members, discharging satisfactorily many of their relative duties. This is all the reformation which outward appliances can produce : it is highly valuable, but it is not real, radical reform ; the heart remains unchanged—the original root of bitterness remains untouched.

The other class of reformed are those who have been brought to a true sense of their lost condition ; to see sin as it is in itself, and not merely in its temporal effects ; and who have been brought to receive Christ

as their Saviour, not in profession only, but in sincerity and truth. These are the truly reformed, and they are but a small minority. This is the reformation which chaplains desire to see, and labour to promote, knowing well that it is not by their own might, nor in their own strength, that they can succeed. They try to sow the same seed in every prisoner's heart; in some it produces no fruit—in many it springs up and produces a harvest of good, so far as regards this world—and in a few it brings forth fruit unto life eternal. It is on this particular point that the best chaplains are most ready to err. Earnestly seeking the conversion as well as reformation of their wayward flock, and forgetting the peculiarity of a prisoner's position, they are prone to judge too favourably, and to think more highly of the progress of their charge, than most evangelical pastors would venture to do of an ordinary congregation. The utter absence of temptations in a prison makes it all but impossible to form a correct judgment of a prisoner's character, and the chaplain comes nearest to it who expresses, not a certainty, but a hope of true reformation. The disappointments in many a promising case tell heavily on a chaplain's heart; and the failure of too confidently expressed assurances of reformation by chaplains tell on the public mind much against the real value of prison discipline. It is not easy for man to know his fellow-man, whether in a prison or at large, and it is not prudent for one man to express an overconfident opinion of the moral state of another. Heart reformation, however, is the great end of all plans of

prison discipline. Unless they lead to this, they can only produce benefits of secondary importance. The work of the prison chaplain, as of the clergyman and the missionary, is to win souls to Christ, and no inferior result ought to satisfy him ; but while the world continues in its present state, it is their inevitable lot to accomplish less than they endeavour, and far less than they desire ; still they must all keep the one great end in view, and be ever pressing forward, in their Master's strength, towards its accomplishment.

CHAPTER IV.

PENAL SERVITUDE AS IT HAS BEEN.

THE last stage in the progress of prison discipline is the recent mode of dealing with criminals by what is popularly termed "the Ticket-of-leave System," and it has excited public feeling to a very remarkable extent. It deserves to be fully considered in all its bearings, both on account of its importance as an experiment in criminal legislation, and on account of the violent opposition which it is at present encountering. It has been commended too strongly, and too much has been expected from it by its supporters, who have not taken sufficiently into account the character and habits of the parties with whom they have to deal. It has been reprobated far too strongly by the public, partly from misapprehension of the true nature of the system, and still more from not taking time to remember that the very same class of persons have always existed at liberty amongst us. They are now called *Ticket-of-leave men*; and the name is new, but they are the very same men who, a few years ago, were known as returned transports, or convicts liberated on the expiry of their sentences—denominations perfectly familiar to the police and the criminal courts of former

years. They are, from unavoidable but temporary causes, more numerous at this moment than the average ought to be; but, on the other hand, the public ought to remember that the treatment to which the inmates of a convict prison have for some years past been subjected previous to liberation, is calculated in every way to humanise and improve them, while the treatment of transports, up to a very recent period, was too often such as tended to harden and brutalise, and make them on their return truly dangerous members of society, objects of just dread to those in whose vicinity they might take up their abode.

Government suddenly found themselves in singularly embarrassing circumstances with regard to convicts. A regular system of improvement in prison management had gone on for years, both at home and in the colonies, an essential part of which lay in the annual removal of three or four thousand of the worst of our criminals to Australia and other places, the very worst being sent to Bermuda. Very few persons objected to the system. The colonies were for a long time delighted to get cheap convict labour, and at home it was matter only of rejoicing when a particularly troublesome character was sent out of the country—the only wish regarding him was, that he might never return. A few philanthropic and far-sighted individuals early contemplated the probable results to the rising colonies of being almost exclusively peopled by convicts and their descendants, and they foretold the most calamitous ultimate results to the colonies thus supplied with labour, however cheap

and profitable at the time. The general question came to be considered as to our right to send our criminals to people new countries, destined perhaps to be greater and more important than even our native land, whose present influence we prize so highly, and thus to pollute a virgin soil with the foul offscourings of our prisons. Matters had been for some years in this state, when the whole question was suddenly brought to a crisis by the determined refusal of every colony, save one, hitherto used as a penal settlement, to suffer one more convict to be landed on its shores. This brought the home authorities at once betwixt the horns of a dilemma. They knew that they had on an average so many thousands of criminals coming forward annually, ready, in the ordinary course, to be transported, and all at once every outlet for them, except one of limited extent, was peremptorily closed. What could be done? The case was urgent. Immediate action was required; for the prisons in Britain were not sufficiently large for the safe custody of the convicts in this country, and the colonies were resolved on no account to admit them.

The unexpected suddenness of the change has not by any means given fair play to the new system; nor can we very much wonder if the public felt and expressed a certain amount of alarm. If government had only had a few years more to train up the convicts for liberation, and also to prepare the public mind for the new system, the change would probably have been introduced with general approbation. The government was forced to take measures at once for the

speedy liberation of a large number of convicts: it had no choice in the matter. It would obviously have been most unjust to have caused these men to undergo a sentence manifestly of greater severity, in their estimation, than that which had been pronounced upon them. They had been condemned to transportation for seven, ten, fifteen, twenty years, or for life, according to their crimes. In former years, a considerable percentage of them would have been hanged; but it was not possible thus to dispose of a man who was only sentenced to be transported, and that not for any additional demerit of his, but merely because the country did not know what to do with him.

The resource which naturally occurred was to keep them in prison until the expiry of their sentences; but to this there were two substantial objections.

The prisoners would have felt it to be an enormous and most unjust addition to their sentences, and that made without the intervention of judge or jury, as was proved by the outbreak at Portland in 1854, consequent upon a misunderstanding on the part of the convicts as to the alteration of their sentences. They were justly entitled to say, "It is true we are sentenced to a certain number of years' transportation, but you have no right to imprison us at home for a like period, or even for a half or a third part of the time." As a general rule, convicts vastly prefer transportation, even for a long period, to imprisonment for a much shorter term in this country. They probably, in the great majority of cases, make a false estimate in so doing, but their minds are influenced by the love

of change, and by a dreamy idea of somehow *getting on* in the colonies.

This objection might, perhaps, have been forcibly overcome by an Act of Parliament; but another difficulty remained which could not be so remedied, and that was the total want of accommodation in the existing prisons for the accumulation of convicts which must have taken place. Notwithstanding the liberality with which additional prison-accommodation has of late years been provided, there does not exist in Britain more than enough for the average ordinary prison population, and not so much if the separate system were rigidly enforced in every prison. It was impossible to provide the accommodation required for an addition each year of about 3500, destined, in ordinary course, for the recusant penal settlements. Supposing that, on an average, they had been sentenced to only seven years, it would have required the erection each year, for the next seven years, of a new prison as large as Pentonville, Millbank, and Brixton, all combined, to provide for this number, and such prisons cannot be erected on short notice, or at trifling expense.

The only practical course open to government was to obtain power to liberate convicts *under orders of licence*—a plan which had been proved to work advantageously, to a certain extent, in the colonies, where it was well known, though it was comparatively little heard of, and had never been reduced into practice at home, where pardons, when granted, were absolute and unconditional. This power was obtained under the

Act 16 and 17 Vict., c. 99, which laid the foundation of our present system. It was thus introduced under the most disadvantageous circumstances. There was no time specially to train many of those who were to be set free with any view to home liberation. The industrial and mental training which they were receiving was mainly directed to preparing them for the colonies to which they expected to be sent, and towards which their thoughts were steadily directed. Of course, the religious and educational part of it was equally available at home. There was no possibility of making much selection from among the convicts, and, perhaps, strict justice would scarcely have sanctioned such a step. The judges who sentenced could not possibly foresee or anticipate the change of circumstances which unexpectedly rendered it impossible to carry out sentences which were passed in the full expectation of their being carried out in the usual manner.

The public, too, was completely taken by surprise; there was no time to prepare men's minds for the change, to persuade them of its necessity, or to point out the soundness of the principles on which it was founded. The mere introduction of a new term, "ticket-of-leave," into familiar conversation, though not mentioned in the Act, had a most injurious effect: it has almost passed into a party-cry. As much of personal comfort and of the safety of property depends upon the custody of convicted criminals, it is not surprising that so great a change was not at once approved. An outcry arose as if the country were to be inundated by hordes of thieves and robbers who

had never before infested it, and the people of Great Britain seemed half inclined to follow the example of the penal colonies, and refuse to allow them to be set at liberty amongst them. The transport of former days, too, often returned home a more determined criminal than before, especially if he was an escaped convict; and the public at once classed all ticket-of-leave men along with these, overlooking the wholly different treatment to which they had been subjected, the one too often made harder and worse by himself and his comrades, the other having had every exertion made to soften and reclaim him, exertions which assuredly are not always made in vain.

In fact, these tickets-of-leave only make a very moderate addition per cent. to our criminal population, and by no means of the worst description. The number of persons in Great Britain who depend on crime for their support is understood to be about 150,000, and even 3000 tickets-of-leave added to this annually is only 2 per cent. on the whole. Besides, the ticket-of-leave men are not all of them desperate characters; many of them are the reverse; and it should never be forgotten that many of our worst offenders are never inside a prison in their lives, and that many of the most serious crimes are committed by men never previously convicted. At present, whenever a violent crime is announced, it is at once concluded that none but a ticket-of-leave man has committed it—no one doubts it—every one repeats it—and even when the criminal is brought to trial, and proved by evidence never to have held a ticket-of-leave, still the impression

remains floating about, and strongly influencing the public mind.

There is much popular error on the subject of what a ticket-of-leave really means. The common idea seems to be, that by this new system, when a hardened offender is convicted of a crime for which, in "the good old times," he would have been either hanged or transported for life, so that the British public were never more plagued by him, he is now, after a brief season of gentle imprisonment and kindly treatment, turned loose to return without fail to his old practices, only somewhat hardened and made more reckless by his imprisonment. To judge from occasional speeches, and from articles in newspapers and elsewhere, this is the opinion of at least a considerable portion of the public.

It is of importance to endeavour to explain what the system really is. If a man is now convicted of a serious offence, he is condemned to a certain period of penal servitude, and power is given to the sovereign to abridge that period, and liberate the prisoner under a licence to be at large within the United Kingdom, under such conditions as to residence as the licence in each case may express; and this licence is liable to be revoked at any time; and in practice it is revoked whenever a liberated prisoner is found to be associating with thieves, and having no honest means of supporting himself; and it expires of itself on his being convicted of any fresh offence. Such is what is popularly termed a "ticket-of-leave."

The Act of Parliament, by section 4, fixes a gra-

duated scale by which a certain number of years of penal servitude is held to be equal to a certain other number of years of transportation, thus:—

Under 7 years' transportation = 4 years' penal servitude.			
„ 7 to 10	„	= 4 to 6	„
„ 10 to 15	„	= 6 to 8	„
Above 15	„	= 6 to 10	„
Life	„	Life	„

How is the convict treated after sentence of penal servitude has been pronounced? He is immediately removed to one of the government convict prisons at Pentonville, Parkhurst, or Wakefield, as the circumstances of his case may determine. He there passes the first nine months of his time in separate confinement. He has no intercourse with any persons but the officials of the prison; he knows nothing, at least in theory, of his fellow-prisoners; he neither hears nor sees them. His time is not spent in idleness. If ignorant of any useful trade, he is instructed by a skilful workman in one suitable to him; he is encouraged to be industrious; admonished or punished if idle; and he receives most careful religious and secular instruction from chaplains and teachers; and his whole day is spent in alternate work, lessons, and exercise. If he passes this probation-period creditably, that is, so far as prison rules are concerned, he is next removed to one of the public-works prisons. If he prove refractory, and cannot be induced to profit by the advantages offered to him, his time of probation is prolonged. If even this be done in vain, if he persevere in his misconduct, he is held by this clearly

to prove himself determined to continue a criminal, and then he is sent to one of the ordinary prisons, there to work out his full sentence. He is made perfectly aware of all this at his first entrance upon his penal servitude, he knows at once that his future lot depends upon himself. This is one of the most important features of the new system : it teaches the prisoner the value of good conduct by attaching to it the prize which he values most—the prospect of earlier freedom. Under the old system, his good conduct might save him from adding to his sentence by incurring prison punishments for breach of prison rules, but could not possibly procure him any greater advantage.

The public-works prisons at present are at Portland, Portsmouth, Dartmouth, and Parkhurst, and the too celebrated hulks, which are now about to be abolished, and the new prison at Chatham substituted for them. In these prisons, the convict is employed in open air work, associated with others, but under very strict superintendence ; and now, by his good conduct, he can shorten his period of servitude ; while, by his bad conduct, he can procure his being returned either to second probation or to the ordinary prison as incorrigible. When the time for his liberation has nearly arrived, every endeavour is made to procure respectable employment for him, often with a former master or near relation ; and, finally, he is liberated, with a revocable licence or conditional pardon ; and this constitutes what is popularly termed a ticket-of-leave. By it he is set at liberty, on condition of good conduct ; and it is revoked, not only on his being con-

victed of any fresh offence, but on its being ascertained that the holder is not supporting himself by his own industry, but living in the society of known thieves. If revoked, the convict is immediately apprehended, reconveyed to prison, and made to work out his original period, unless in cases where a longer sentence may have been pronounced by a court, for a fresh crime, when the second takes the place of the first sentence.

There is much Christian principle, much common sense, and much ingenuity in this whole plan ; it commends itself to the best feelings of every heart interested in the temporal and eternal wellbeing of criminals. It is a strong proof of the moral advance of our age, that at the very moment it was required, such a scheme could be produced, and that means existed for carrying it at once into practice. No better or higher principles can be applied to the case, but the working of it may yet be improved in many ways.

The tests applied to each convict are exclusively obedience to prison rules, and diligence and perseverance at work. These are not the highest tests—they take no account of the moral or religious state of the man, but they are the only reliable practical tests which are applicable to the case of a prisoner. This is a point on which there is much popular error. It is imagined that if a convict has the ability to add to his other sins that of hypocrisy—if he can for a brief period act a part, and make much religious profession—then he earns his release by the favourable report of

the chaplain. This is a complete mistake. The chaplain has assigned to him a certain routine part of the work, principally writing letters to relatives or parties from whom employment is expected, and beyond this he has nothing to do with the license, and his opinion of the convict has no influence in hastening on, or in retarding the liberation.

This is very clearly stated in the Report on Convict Prisons for 1854 :—"There exists an erroneous impression that the chaplains have been required in all cases to satisfy themselves that a convict is a reformed man before he is recommended to the Secretary of State for a license. A little reflection will shew that such a condition would be both impracticable and unjust—impracticable, because no sufficient means exist of forming an accurate opinion of the religious state of any one, much less a prisoner—and unjust, because he should not be deprived of any privilege he might gain on an objection, unsupported by tangible evidence. In carrying out a system of discipline, in which encouragement to good conduct is held out, insuperable difficulties would arise, if persevering efforts to attain the object were acknowledged by the governor, and neutralised by the opinion of the chaplain. Such an opinion would be valuable ; but there is little doubt that the ministerial usefulness of a chaplain would be greatly impaired if much weight were assigned to it in the distribution of rewards. It would, besides, be open to the objection of holding out a bonus to hypocrisy, which, under present circumstances, is not the besetting sin of prisoners." *

* Col. Jebb's Report, 1854, pp. 16-17.

The chaplain of Portland prison (the Rev. Mr. Hol-
derness) explains, in his Report for 1854, the principle
brought to bear on each prisoner, in a very perspicu-
ous manner :—"The inducements set before these men
from the first day of their incarceration was, *Liberty
dependent on conduct*. In effect, they were told,
'Show yourselves worthy of freedom, and you shall
try once more in the busy scenes of life.' Their re-
lease was not hastened by any wordy profession of
religion or amendment, but by their *actions*. . . .
He who had laboured most industriously, and observed
the rules most carefully, was deemed the best adapted
for successful contest in the arena of the world; and
perhaps there will be no more certain means of judg-
ing character, until some one discovers the method of
discerning the motives of a human heart." *

The whole treatment of a criminal under this
system is worthy of minute consideration. He is con-
victed, after a careful trial, by a jury of his country-
men; sentence is pronounced upon him by a judge
well versed in criminal law, and with considerable
knowledge of criminals, acquired both by practice at
the bar and on the bench, and that sentence is regu-
lated by a careful consideration of the whole case,
with regard alike to what is due to society and to the
criminal. While under probation, every means is
adopted to make the whole training and teaching at
once effective and attractive, so that in general, instead
of a hardship, they are regarded as most valuable pri-
vileges; and if deprived of them for a time, for breach

* Report for 1854, p. 291.

of prison regulations, it is felt to be a severe punishment. Above all this, there is the religious instruction of the chaplain. There is scarcely to be found in the world a nobler band of labourers in the Christian field than the present prison chaplains of Great Britain, many of them accomplished scholars, men of high abilities, and varied acquirements, devoting their every talent to their work. Men of deep piety and lively zeal they must be, else they would soon turn from it in disgust; but they know from their own experience the value of a man's soul, they know personally the power of Divine truth, and they know, too, how often the effectual blessing is given by God to means employed in conformity with his revealed will; and happily they are cheered from time to time by one prodigal, and another, and another, being truly reconciled to his Father.

Doubtless such a system will be abused by some prisoners; it will encourage them to act a deceptive part, to profess what they do not feel; but this is not the peculiar defect of the ticket-of-leave system; it applies in one form or other to every attempt made to improve mankind in which the hope of reward is held out as a motive.

Next to the religious teaching and training, the great merit of the plan lies in the habits of industry, temperance, obedience, and self-reliance kept in ceaseless operation, whether the convict desires it or not, for months and years together, and in the practical lesson of the advantages of all these, which results from making the hope of early liberation depend upon

them ; and, finally, there is the certainty, that if known to fall into crime, or even to frequent the haunts of criminals, his pardon must be forfeited. The whole forms an admirable combination of habits of industry, hope of reward, and fear of punishment.

During the whole time the prisoner is undergoing what is termed *probation*, he is liable at any time, for misbehaviour, to lose his good-conduct marks, to have his period of probation prolonged, or even, for gross misconduct, to be sent back to a common prison, there to serve out his full time.

What are the principles and motives brought into operation by this complex treatment ? They are, as nearly as the circumstances of the case will admit, the same which a wise Christian parent would apply to an erring child under his own control. The delinquent, we shall suppose, is ignorant of the first rudiments of secular knowledge ; they are carefully imparted to him ; he is not acquainted with any industrious mode of employment, and he is carefully instructed in one ; he has no habit of persevering industry ; work has hitherto been distasteful to him ; but here he is in such circumstances that his work, in nine cases out of ten, is a source of positive enjoyment, and deprivation of it a heavy punishment ; and by months and months of patient labour, the habit of work is gradually made part of his nature ; in his previous life he was probably an habitual drunkard, now he is made a total abstainer, and learns that strong drink is at least unnecessary for keeping up the vigour, either of body or of mind. Formerly he was encouraged in crime by

all his associates, and accustomed among them to glory in his evil deeds ; and he was further led on by their recitals to plan and execute fresh outrages on person or property : now there is no one to talk to him in praise of crimes, or to listen to his tales, except for the purpose of pointing out the sinfulness of his career, and warning him against such conduct in time to come. Formerly he knew nothing of his God and his Redeemer, or if the names were indeed familiar to his lips, they were only used in cursing and blaspheming ; he knew nothing of sin, or his own state as a sinner ; he had no hope of peace or comfort on this side the grave, and beyond it his best hope was to cease to exist, to lie down and die even as the beasts that perish ; but now the whole scheme of redemption is set before him, and he is taught, that however great his sins may have been, yet there is mercy in Christ, even for him, if he will only believe and accept it. It seems impossible to imagine a scheme better adapted to attain its end, all the best and highest principles applicable to the case are brought to bear upon it.

Nor are lower motives, mere temporal inducements wanting. There is wonderful power in kindness. Many an iron-hearted man who could stand unmoved, and even grow harder and sterner under harsh and cruel treatment, such as was bestowed on criminals in former years, is now subdued by the force of persevering judicious kindness. It is clearly proved by the letters addressed by liberated prisoners to the prison officers months and years after their release, that these officers have completely won the confidence and affec-

tion of a large proportion of the convicts, and are regarded as their best friends. This is equally creditable to both parties, and ought to be most satisfactory to the public, giving the strongest security for the permanent reformation of the very men whom they dread.

Hope is assuredly one of the most influential motives in the breast of man ; in one form or other it is the mainspring of every action. This too is brought into full play, and well directed in the new system of penal servitude. The convict *hopes*, by means of the trade he learns in prison, to be able to support himself on liberation ; he *hopes*, by attention to his lessons, to raise himself in the social scale, and, which is the most powerful present motive of all, he *hopes*, by his general good behaviour, to shorten his imprisonment, and hasten the day of freedom. This is the great object of every prisoner, and it is one with which all must sympathise : no other reward has yet been devised which has any value in the mind of a prisoner in comparison with liberty ; no other motive will enable a man to bear up under so violent a change of habits, so long continued, and which, at least at first, is so distasteful ; but hope never dies, even the desperate criminal has his hopes, and in the convict prison these are turned from criminal objects and desires to those things which are truly worth attaining for time and for eternity. “ It is the love of liberty which lies nearest the prisoner’s heart, and which will ever be the cheapest and best reward for exemplary conduct.”*

But while the system thus encourages hope in the

* Report, Chaplain of Portland, in Jebb’s Report for 1854, p. 291.

convict, it also keeps up a wholesome fear—misconduct at any stage stops his progress, and retards his liberation. There is nothing of sentimentalism in the management, conduct is judged by works, not by words, by deeds, not professions.

It seems difficult to imagine a system more complete, more likely to accomplish its purpose, and it reflects much honour on those who devised it; but however good in theory, it must be tested by its results. If we judge of it by popular outcry, then it has most lamentably failed,—if, by the returns presented to Parliament by the directors of convict prisons, it has been more successful than its promoters ventured to anticipate. This much must be conceded, even by its opponents, that it fairly takes away the reproach so often and so justly directed against our old criminal law, that, though we punished we did nothing to reform, that a man necessarily came out of prison worse than he entered in, made so in spite of himself; and also, that if after undergoing this training a man falls again under the lash of the law, he has himself alone to blame, his country has fully done its duty to him.

Every possible endeavour has been made to obtain correct returns of the effects of the system, to learn how many liberated on Ticket-of-leave have hitherto lived honest respectable lives, and how many have returned to criminal practices. The result is very far from giving support to the popular outcry.

The Act 16 and 17 Vict., cap 99, came into operation on 8th October 1853. From that day to 11th March 1856, a period of two years and five months,

the number of licenses issued was 5049. Of the holders of these tickets, 404 have returned to prison—viz., 173 licenses revoked, and 231 committed to prison under fresh sentences, by which, of course, the licenses came to an end.* Of these 404 there were only 103 who had committed felonies, or offences of a grave character; the remaining 301 were guilty of offences of a less serious description, vagrancy, picking pockets, or simple thefts. The whole 404 give only an average of 3.2 per cent. per annum, who are known to have fallen into crime of any sort—while the 103 who have been found guilty of serious crimes are only 1 per cent. on the whole number. In other words, of the 5049 liberated in two years and five months, no fewer than 4645 have not again been recognised as guilty of crime. The ordinary proportion of recommitments to all the prisons in England is 34 per cent., but that of men holding licenses is only 3.2 per cent., or little more than a twelfth part. A more satisfactory result could not be expected from the first two years and a half of a new experiment.

It is true, doubtless, that some ticket-of-leave men have committed crimes without being recognised as such; and also, that a man apprehended will not willingly acknowledge himself to be the holder of a ticket; to do so would only serve to his more speedy and severe condemnation; and a convict who *resolves* to return to a life of crime will probably lose no time in destroying, or at least concealing his ticket, that it may not give evidence against him.

* Report on Convict Prisons for 1854-55, p. 20, 21.

The account given by Sir George Grey, in his speech of 9th February 1857, as reported by the *Times*, is less favourable than that given by Colonel Jebb, in his Reports for 1854 and 1855, and makes the total number of convicts who had misbehaved, and either forfeited their tickets or had fresh sentences pronounced, was 1144, out of 7002 licensed, or about 16 per cent., which is very nearly the number anticipated by Colonel Jebb and others when the plan was adopted. It does not appear that, *in general*, their offences were of a very serious description, or calculated justly to alarm the public. On the whole, the system promises to work well, if it only be sufficiently extended; and there seems to be no good ground for the clamour which has been raised against it.

Few men know the nature of prisoners so well as the admirable chaplain at Preston, Mr Clay. He thus expresses himself on tickets-of-leave:—"The lately adopted plan of liberating convicts before the expiration of their sentence, with tickets-of-leave, has raised an outcry, for which, I am well assured, there has been little occasion. Careful inquiry will shew that the public has been hasty and unreasonable in the matter. My direct means of observing the working of the new plan are necessarily very limited; but what I have seen of it is highly encouraging. I believe that upwards of forty-five males sentenced to seven years' transportation at the Preston Sessions, and previously resident in North Lancashire, have returned to their homes on tickets-of-leave. Two of them have re-entered the prison—neither of them for offences of

that desperate character which the alarmed public might expect to hear of. With several others liberated from Portland, Dartmoor, and Parkhurst, I have had interesting and satisfactory interviews; and it is only justice to the discipline of these establishments to declare, that the appearance of the men betokened a physical and mental improvement which I was little prepared to see, and which, with respect to two of them, I should not have thought possible. Both of those two, to my own knowledge, are now leading respectable lives. The great majority of *provincial* convicts are not systematic criminals, but rather incidental offenders, who have been impelled to criminal acts under the influence of drink. When these men are not deficient in understanding, their reformation, humanly speaking, is a comparatively easy work. On their liberation, they obtain employment more easily than is generally supposed, and are almost sure of gaining character and comfort, if they will only keep out of the ale-house and beer-shop."

In the same 31st report, Mr Clay brings distinctly forward a fact which is undeniably true, and which ought to go far to allay the popular dread of tickets-of-leave:—"The real ground for apprehension and alarm about discharging criminals is not to be looked for in the 1500 or 1600 convicts annually liberated from the admirable reformatory institutions at Portland, Dartmoor, &c., but from the 70,000 or 80,000 offenders of different classes and degrees, who are every year turned out of prisons in which crime is encouraged by corrupting association. There are

more really 'dangerous characters' discharged from such prisons in a fortnight than would be found among all the ticket-of-leave men liberated from Portland, Dartmoor, Parkhurst, and Portsmouth in a year."

Under our old system of prison discipline, the officers, as a body, took little or no kindly interest in their prisoners, and never thought of them after liberation, until they returned to prison for a fresh offence; and, on the other hand, the prisoners regarded them with a mixture of fear and hatred—simply as the instruments of their punishment. Now all this is entirely changed. Prisoners, in most cases, look on the higher officers as their best friends, as well they may; and the officers look upon their prisoners with the deepest interest, and, in cases of probable reformation, with feelings akin to those with which a missionary in heathen lands regards his professing converts—he rejoices over them with trembling.

The report on convict prisons for 1854-55 contains remarkable proof of the friendly confidence with which liberated convicts correspond with their former keepers, in the form of hundreds of letters from prisoners or members of their families to the governors or chaplains of the jails in which they had been confined. It would have been satisfactory and gratifying had these letters been merely expressive of a sense of the kindness with which they were treated; but they go much farther—they often write with perfect openness, relating their troubles and trials, their temptations and their success in resisting them, their joy in being restored to the society of wife and children, parents and friends, and

their heartfelt satisfaction in finding that they can support themselves and those they love by honest industry. They are like the letters of affectionate children to a distant parent, to whose firm and judicious training they feel that they owe their prospects of happiness and success in life. This seems to be the most conclusive of all evidence in favour of the good working of the system. There is no necessity to write these letters, there is no selfish end to be attained by them; and if they be, as in all charity we must presume them to be, the natural genuine outpourings of the writer's heart, then the penal labour and the ticket-of-leave have been blessed to the thorough reformation of many a once hardened criminal.

Such is the ticket-of-leave system. Its essential qualities lie not so much in the *ticket* as in the previous *training*; but the public has looked to the ticket alone, and forgotten that which prepared for it. The test applied in this by the public is not just. Those who are reformed are never heard of, and they are wholly forgotten; but those who again fall into crime are heard of, and the whole system is judged by them alone, without remembering that even by Sir George Grey's statement, 74 out of every 100 ought, in all fairness, to be counted as living tolerably respectable lives.

CHAPTER V.

NATIONAL HABITS WHICH FOSTER CRIME.

THE social habits of a people, their daily practices, or, it may be, their daily neglects, have more to do with forming the national character, whether for good or evil, than even the statutes of the realm. If we wish thoroughly to search out the causes of crime amongst us, so as to apply effectual remedies, we must enquire carefully into every ordinary habit which affects the moral and domestic condition of the industrious classes. We shall very easily discover not a few customs which have prevailed for generations, though, perhaps, more widely now than at any previous period of our history, which are ruining the moral habits and feelings of the people.

Some of these are negative, some are positive. Among the foremost of these may be placed the almost total neglect to train up the young females of our working classes in the knowledge of those arts which are absolutely needful for them as wives and mothers. This is no light evil—nay, it is probably the cause of more mischief and misery in the homes of our working men than any other, save drink, and it not unfrequently drives first the husband, and next the wife,

to the gin shop, to drown the sense of home discomfort in temporary excitement.

How many of the young women of this class are never taught to sew and patch, to wash and iron, and least of all, to cook, except from the occasional irregular instruction of a mother, nearly as unskilled as her daughter. Some may be ready to say these things are too trifling to be noticed; it is not so, they are absolutely necessary, they are among the primary elements of domestic happiness, and the warmest, sincerest youthful love will rarely stand years and years of home discomfort and disorder. The expert needlewoman can, with a little care, keep her own, her husband's, and her children's clothes in constant repair, and take the full use out of every morsel of the material. She finds that the old proverb, "a stitch in time saves nine," is most true in its literal application. The woman who cannot mend her husband's and her children's garments has just two alternatives—she must either see the garments perish before half their proper work is done, or she must pay largely to the tailor and the seamstress: the former is the alternative usually adopted, not perhaps of choice, but of dire necessity.

Again: the waste of good food by bad cooking is enormous; and perhaps no circumstance more affects the health and prosperity of a working man's family, than the ability or inability of the wife well and wisely to prepare the food they are able to purchase. This is no place for details of cooking; our wish is only to establish a principle and draw attention to a fact. It is intended by our heavenly Father that our meal-

times should be seasons of domestic comfort, and at the same time, of refreshing moderate animal enjoyment. Are the daily meals of the tens of thousands of hard-working men, on whom we depend for our national wealth, of this description? Most certainly not. And yet they well might be; for the expenditure incurred in procuring and preparing them, such as they are, is more than enough to furnish good and well-cooked food; all that is wanted is the skill to turn what they have to the best account. We would not advocate luxury in food, either for poor or rich, it is injurious alike to soul and body, but we would plead earnestly for comfortable, nourishing food to those whose lot is daily toil. There is no greater extravagance in any house than bad cooking. Meat not properly prepared is worse than wasted; not only does it fail to give nourishment, but it lays the foundation of permanent disease when continually used for months and years. It is no light matter for a nation that a very general neglect should prevail, which almost insures the domestic misery of thousands of households, and such we believe to be the neglect to train up young women in the knowledge of domestic arts.

A young mother with four or five little children, no servant, and only her husband's weekly wages to support them all, has before her a task of no ordinary magnitude, and she needs the help of all domestic skill and prudence to accomplish it; but to the loving heart of woman it is a dear and ennobling labour, and right well do many fulfil it; but not all, not even, we fear,

the majority, succeed. Many an affectionate but ill-trained young creature fails beneath the trial, and ceases to struggle, because she knows not how to succeed.

Who has not watched the painful gradual change? A young couple, settled in their first home—it may be in a pretty country cottage, or it may be in two neat, well-furnished rooms in a crowded city. For a time, all goes well; but children come, and sickness comes, and want of work may come, and what is the result when no prudent economy manages the household? The comfortable home gradually becomes dirty and untidy; each succeeding baby seems only to add to the discomfort and disorder of the others; the wife becomes tawdry, the children ragged, and the husband, despairing of peace and comfort at home, flies to the beer-house or the gin-shop, to forget his troubles.

We have been hearing much of late of the new and un-English crime of wife-beating. Such husbands are worse than brutes, and no punishment, implying pain and disgrace, can be too severe for them; but we must be just, and we must say that in this scandal to our country the men are not alone to blame; much of the fault lies with the women; bad wives and bad husbands make each other worse.

It is a heavy trial to an affectionate young husband to return to his home, after a hard day's work, and night after night find his wife in slovenly attire, his children in rags and bad humour, his house in disorder, and his supper so cooked that there is neither pleasure nor advantage in partaking of it. Let this be

continued for years, and can we wonder if the man's love grows cold—if by degrees it turns into hatred; and at length, when there is no religious feeling to restrain, he maddens himself with drink and returns to his home half or wholly to murder his once much-loved bride? He expected her to be his helpmate, the sharer of his joys, the soother of his sorrows; she has failed him; and, forgetting his own share in the downfall of their mutual hopes, he, like a coward, wreaks all his vengeance upon her whom he had sworn to "love and to cherish until death them should part." It is a painful subject. Both parties are in fault; but the greater part of the blame ought in all justice to be laid on society, for not looking more wisely to the domestic training of our young women, especially in the lower ranks.

Look for a moment at the other side of the picture. Trace the progress of a well-trained Christian couple. The husband knows his trade, and plies it laboriously and skilfully; he brings home his weekly earnings, and husband and wife consult together how they are to be bestowed. A portion is gladly set apart for promoting the cause of the God they love; another portion is paid into the savings' bank, to be ready for a day of need; and the remainder, much the largest portion, is required for food and raiment. Provided with cash, the prudent wife can purchase the best articles at the lowest price; knowledge of domestic economy enables her to turn all to the best account; there is no waste and no want. Night after night the husband returns but to meet a more cheerful welcome

from wife and little ones, and to thank God more heartily for all his mercies. As time rolls on, sickness and sorrow may come ; but they are found not unprepared to meet them. They are strong in their trust of each other, they are stronger still in their trust in their God and Saviour ; they bear a trial as Christians only can ; in time it passes away, and they find it has been “ a blessing in disguise.” Perhaps they live to see their children and their children’s children occupying the same position, and discharging alike well, as they have been enabled to do, the duties devolving upon them ; and thus their Christian wisdom appears in another and another generation.

This is no fancied picture ; we rejoice to think there are thousands of such homes, both “ pent in close streets of cities large ” and in our pleasanter rural dwellings. And such *might* every household in our land become ; nor should we ever rest satisfied until this be nearly attained. Absolute perfection in this world we dare not expect ; but we ought not, as men and as Christians, to be content with things as they are.

This is not a matter which can be regulated by act of Parliament—it is beyond the power of legislation ; but it is one of those most important subjects which ought to call forth individual exertion. Much may be accomplished by the judicious advice and assistance of female teachers and lady visitors. It is in the homes of the industrial classes that this work ought principally to be carried on. Practical lessons in domestic economy are usually acceptable to young housewives ;

for they have by experience learned their own deficiencies, and are but too glad to be taught how to remedy them.

In one important branch much has been done of late. *Sewing* schools have been extensively set up and warmly patronised. They have proved most useful, and there seems no good reason why sewing should not be taught in every girl-school. The Education Committee of the Privy Council could easily confer an immense benefit on the rising generation of females by adopting a very short minute, making it a condition that sewing *shall be taught* in every female-school deriving assistance from public grants, and that for a certain fixed period of every day; and also by making *sewing* a part of the examination of pupil teachers. It would do much for the present rising generation, and still more for the next.

Washing and getting up linen may also be introduced into many schools, not only without loss, but with reasonable profit. There is more difficulty with regard to cooking, but even this can at once be overcome in all those schools, and they are numerous, in which the children are fed, or have, at least, one daily meal supplied them. The school girls ought to be employed in rotation in the kitchen, and taught to do their work nicely and cleanly, and the practice of furnishing dinner in school ought to be encouraged in every way. It could often be done at less expense to the parents than they actually incur in their own houses for the same meal.

Another very great evil, which has been of slow and

of gradual growth, but which has now become a marked feature of the age, is the wide separation which exists betwixt the various classes of society, especially betwixt employer and employed, and the consequent want of mutual kindly sympathy. The workman thinks that if he fulfils his hours of service without incurring positive reproach for idleness or carelessness, he has done his duty. He does not feel that he owes, and still less is he willing to give, that real service which springs from a heart devoted to his master's work. In truth, neither God nor man can be well served unless there be "first a willing heart." The master, on the other hand, in too many cases thinks that when he has paid the stipulated wages, he is exempt from all further obligation to his workman; that it is no affair of his how his men behave themselves when no longer in his manufactory, whether they be sober or drunken, religious or infidel, and still less whether they be comfortably lodged, fed, and clothed: these things are no concern of his. If they do his work, and he pays their wages, then they have both done their duty, and neither has any further claim on the other. This is a grievous error, equally injurious to both parties. Happily for the country, there are masters employing large numbers of men who act on very different principles. At Price's great candle work, and many others which might be named, the masters fully acknowledge and discharge their moral obligation to look to the state of their workmen; but it is very far from being the universal prac-

tice, and until it be, the relations of employer and employed are not in a healthy state, and both parties must suffer.

Every man, whatever be his social position, is dependent, more or less, on every other man with whom he comes in contact. In whatever relation it may be, men owe many duties to each other; and what is so often spoken of, "*the well-being of society*," is simply the complete and willing discharge of the relative obligations of rich and poor to each other. This was acknowledged even by the heathens of old, and no sentiment is recorded as having been received with louder plaudits than that which is expressed in the noble line of the Roman dramatist—

"Homo sum, humani nihil a me alienum esse puto."

Christianity teaches the same doctrine, but in a purer and more exalted form, when it enjoins upon us to "have compassion one of another, to love as brethren, to be pitiful, to be courteous."

Surely the man who acquires all his wealth by the labour of others owes them far more than the weekly counting out and handing over a certain number of pieces of gold or silver; and a very moderate expenditure of time and trouble in looking to the state of his workmen in their own houses, and shewing a kindly interest in their prosperity, would be repaid tenfold in their more willing exertions in his service: nothing brings in so quick a return as a judicious act of kindness. In former times masters and servants lived very

much as one family, and the proudest noble sat down to dine at the same table with his poorest follower. The necessary distinction of ranks was kept up, and most effectually, by other means than those now in use. It would be as impossible as it would be undesirable to return to these old practices; it would promote the welfare of neither party; but though to be discharged in a different form, the duty remains the same, and if it be neglected, we pay too high a price for our advanced refinement. The master ought to look as well at least to the state of his workmen as the husbandman does to that of his flocks and herds.

This change in Britain went on steadily as manufactures increased and as farms were enlarged. There are pecuniary advantages in extensive works and in large farms which cannot be realised by smaller establishments; but their moral superiority is more than questionable. It ought never to be forgotten that the larger the number of persons in any man's employment, the greater is his moral responsibility, and the more difficult it is for him adequately to fulfil it. The greatest boon which at this moment could be conferred by science upon working men would be the discovery of a cheap and efficient moving power which would enable them to carry on work in their own houses instead of being gathered together in vast manufactories, and it may be that the discovery is not far distant.

Another great evil in the present day is the want of proper dwellings for the working classes. It may appear at first sight that there is nothing of Christianity, or even of morality, in the drainage, the ventilation, or

the cubic contents of a weaver's apartments, and yet the comfort or discomfort of his abode exercises the greatest influence on his character, and still more on that of his children. When father, and mother, and grown-up sons and daughters live, eat, and sleep in one room (perhaps with only one bed), it is simply impossible for the children to be brought up with feelings of common decency—they are debased from earliest infancy; and yet there is unquestionable proof that such is the accommodation in our large towns for thousands of families of working men, and that in many a smiling hamlet there are families of rural labourers packed together with far less regard to health than is bestowed on the fat stock of the farm. The evil results of this neglect appear in an aggravated form in districts where large numbers of men are for a time collected to execute great works, such as lines of railway. They are brought together without any suitable accommodation—lodged, it may be, in hovels, far away from their families and friends—deprived for months, or even years, of the humanising influences of home—and with little or no provision made for religious instruction or moral superintendence. The legitimate fruits of this treatment are shewn in the tales of riot and debauchery which from time to time appear in the newspapers, and most forcibly in the swarms of illegitimate children left behind in the locality, a fact too well known to the poor-law authorities. If we persist in treating men like inferior animals, we need not wonder at such results. In towns, the temptation to be near the place of work induces workmen to crowd together

in certain districts, and the occasional opening up of new lines of street (much to the general good) greatly aggravates the evil, by not providing accommodation for those whose dwellings are thrown down.

It is not very easy for legislation to interpose itself betwixt a man and his choice of the dwelling for which he is to pay rent; but there seems no good reason why the Legislature should not interfere, as has been so well done in the case of common lodging-houses, and insist on separation of the sexes after childhood, and on a certain number of cubic feet of air for each inhabitant, and due provision of water, light, and drainage, before a dwelling can be lawfully let or the rent recovered. The public is deeply interested in this; for these crowded, unventilated, filthy dwellings are the spots where fever and pestilence break out, and from whence they spread. In our large cities they are usually collected into masses by themselves; but they also exist in unsuspected but close vicinity to the noblest mansions. The model lodging-houses in London and other towns have done much good, were it only in shewing that dwellings for the poor may be erected with reasonable profit by the wealthy; and Prince Albert's model dwelling at the Exhibition of 1851 was, in the judgment of some persons, the very best thing exhibited—a model full of practical hints, which, if followed out, would have done more for the well-being of the industrial classes than all the wondrous contents of the Crystal Palace. If the wealthy could only be induced to see for themselves the dwellings occupied by the poor, and ascertain the enormous

rents paid for them, their benevolence and their love of a safe and lucrative investment would for once, at least, agree together, and they would readily employ spare capital in this desirable manner. No persons pay so high per cubic foot for their accommodation as the very lowest and poorest. Rents in Tyburnia and Belgravia are moderate in comparison with those in St Giles, Whitechapel, or Wapping. One other thing might be done by the Legislature: whenever houses sheltering a multitude of individuals are to be removed by an Act of Parliament, to make room, perhaps, for a railway station or a new street, then it ought to be conditioned and enforced that a certain proportionate amount of model lodging accommodation shall be erected in the neighbourhood. Much distress has been caused by some of the very best public improvements, in London and elsewhere, by neglecting this. The evil falls on those who have no legal claim of compensation, and who are mere tenants at will. It would be attended by no pecuniary loss to the promoters of the improvements; they would receive fair return for their outlay, and the practical result would be the immediate supply of what was required, which otherwise would not be provided for years to come. The effects of the recent improvements in Paris seem to furnish a prominent example of this evil. The higher and the middle classes thoroughly feel the comforts of their dwelling-houses; but they are quite as well appreciated by the lower, and, in truth, to them they are more necessary, for they constitute the greater part of their worldly well-being. An uncomfortable unhealthy

dwelling leads at once to every sort of social evil, and breaks down the whole framework of family happiness; for without a certain amount of accommodation, a certain quantity of air and light, it cannot exist. For all this, Acts of Parliament can only give facilities, as by the Dwelling Houses (Scotland) Act (18 and 19 Vict., cap. 88); it must remain for the public to carry out the necessary changes, and to supply the demand as it arises.

The practice of night work is in every way injurious to those employed in it. It may seem very bold thus to denounce what some regard as a necessary part of the national industry; and it is asserted, though it does not seem to be proved, that certain works involve the necessity of it. In many cases it may be adopted solely for the purpose of making houses and machinery do double work, and thus for a time saving the expense of additional plant. Probably it is but short-sighted policy; for in this respect machinery resembles the man who makes it—if either the one or the other be forced to work double tides, neither will last out half its days. There can be no objection to any one having occasional night work, the effects of it can be easily cured; but to work systematically and constantly all night and sleep all day is wholly injurious to the human machine. God gave the day to man for labour, and the night for repose. He impressed laws upon our frame in conformity with this arrangement; and if a man will habitually violate these laws, he must make up his mind to pay the penalty in broken health, premature old age, and early death. This is not, however,

the only evil, nor even the greatest, of night work. How can a man who is at work all night and in bed all day look to the right upbringing of his children? It is physically impossible; the whole family arrangements must be disorganised.

Nor is this evil now confined to adults: very young persons of both sexes are employed at night work—a practice which cannot be too strongly reprobated. How can children thus employed be educated? If they be the whole night at work, what progress will the lessons make next day? Doubtless there are masters who make great exertions to remedy the evils they thus cause—but their exertions are all in vain. It is of no use to endeavour to fight against a law wrought into the constitution of our frame; it cannot be rejected, it cannot be modified, it must be obeyed. The employment of children during night is not yet very common; there is much more extensive mischief done by employing them during the day in such a manner as to preclude their advance in the necessary branches of education. Childhood is not the time for earning money—it is the time for the development of the bodily frame, and for enriching the mind with all needful knowledge, and neither of these is consistent with spending its precious years in earning wages. A child pays dearly in after life for what it may have earned in infancy, by its diminished powers both of body and mind, and this is national as well as individual loss. It is of small amount in each particular case, but it is large when thousands are added together. It is no doubt apparently hard that there should be any inter-

ference by the public betwixt parent and child—that any thing should be done to prevent a child as soon as possible beginning to repay his parents for all their tender care by contributing in a small way to the maintenance of the family—and it may be most truly stated that habits of industry cannot be too early commenced. Still, however, the true question recurs, Is this sound policy? is not the price to be paid hereafter far too great for the present gain? is it not wasting precious capital for a very small present return? It is very difficult to fix an age when children ought to be allowed to work for hire, but it does not seem unreasonable to propose that no infant under twelve or thirteen years of age be allowed to earn money away from home, and that from twelve or thirteen to sixteen the number of hours of labour be restricted within due bounds in every sort of manufactory, and not as at present in a few of the more important. The four years from twelve to sixteen are the most important for the development both of body and mind, and they are also the most valuable for the purposes of teaching and training; and if they be wholly spent in manual labour, the prospect for after life is poor indeed.

It is hardly consistent with our free institutions to force education upon every child by a law requiring a certain number of hours' attendance at school daily for a certain number of years, but the end may be attained indirectly by prohibiting the employment for wages of any child who does not produce a reliable certificate of having acquired the first elements of knowledge—reading, writing, and arithmetic—before being allowed

to commence work, and for the first two or three years of work, certificates of attendance at school, for at least two or three hours a day, may be made equally imperative. Many extensive employers have in their own practice established such rules, and they are found to be equally advantageous to themselves and to their servants, and after a little experience they are highly valued by the parents and by the children.

The due education of so numerous a body as the young persons in one way or other employed in manufactories, is a matter of far too great national concern to be left to the uncontrolled discretion of individuals, and the public have a right to demand that they shall have a certain amount of their time devoted to religious and secular instruction. Beyond this, law cannot go; the higher and holier parts of education must be left to parents and to individual Christian exertion,—the public ought to interfere as little as possible, and leave it free to parents to educate as they think right, and only insist that education shall be given. When the parents refuse or obstinately neglect this first of duties, there ought to be no longer any hesitation—the parents' work must be undertaken by the public. It is altogether unjust that the unhappy child, no way culpable in the matter, should have to bear for a whole lifetime the punishment due to parental and public neglect. The plea sometimes urged of inability to meet the expense is in most cases a mere false pretence. Let the parents only abandon the gin-shop and the beer-shop, and there will be little difficulty in paying for the children's school education. So long as we

allow infants who ought to be at school to earn wages, we hold out a direct encouragement to bring them up in ignorance.

The physical effect of early work on children is as bad as the moral. The material corporeal frames of men and of animals are similarly constituted; and if the early years of either be given to toil, early decay must follow. Take a healthy thriving two-year old colt and put him in harness, and work him smartly for only six hours a day for two or three years, and where will he be? In all probability gone to feed the hounds—if not, a miserable picture of decrepitude, fit for no work, and worth little more than the skin on his back. Take another similar two-year old—give him the run of the paddocks till he is four, handling him frequently from three to four—put him in harness at four—work him discreetly up to six—and then what have you? A noble animal, up to any work which horse can do, and with a goodly number of years of active service before him. It is exactly the same with the young human animal. Overtask and overwork him in childhood, and before he reaches the years of manhood his ability to work is over. He has accomplished children's work, but he has permanently unfitted himself for doing man's work—his strength is expended before reaching maturity. The pale faces and half-developed forms of young persons from ten to twenty years of age which fill the streets of our large towns tell unmistakably the results of children's overwork, while the reports of evidence before Parliament on the employment of them, both in manufactories and in

mines, repeat the same tale in another form. Is it sound national policy to suffer the rising generation to be thus treated? Does it add to the strength or to the resources of the nation? It gives present gain at enormous future loss.

Another great source of crime exists in the various modes by which property which has been in use can easily be disposed of, and there has been hitherto far too much hesitancy and delicacy in dealing with this matter.

There are three great outlets for the disposal of second-hand goods; and it is through one or other of them that the little thief gets money for his first plunder, and the drunkard is enabled to unfurnish his dwelling, strip naked and beggar his children, and ruin himself and all connected with him. These are, the pawnbroking establishment, the broker or dealer in second-hand goods, and the receiver of stolen property. The three trades are doubtless apparently very different; the two first *may* be conducted fairly and honestly—the third has no such pretension; but in practice they are so mixed up that in dealing with causes of crime, they must all be considered together. The evils they produce are now generally admitted, and they must be fairly met and overcome, if we are not to leave a very fertile source of crime in full vigour.

Pawnbroking, abstractly and in itself, can be conducted with mutual advantage; there is nothing wrong or unjust in the system; the evil lies in the mode in which it is carried on. It may often occur, in the

history of a well-regulated family, that, owing to a temporary pressure, most valuable relief may be obtained by pledging articles, not of absolute daily necessity, at a reasonable rate. An eight-day clock, or even the best suit of clothes, may thus procure the means of weathering a passing storm. And it is as *lawful* for a poor man to pledge his personal property as for a lady to pledge her diamonds, or for a gentleman to mortgage his house or estate. But though the general principle may be sound, the practice seems invariably to become very much the reverse. The profit of the pawnbroker is exorbitant; the charge made by him on honest transactions is more than enough to indemnify him for those in which he is victimised. Few trades, in the present day, seem so lucrative. The worst feature is, that, however desirous the broker may be to discourage crime, the very existence of his establishment has a direct tendency to foster it; and when he is himself a man without honesty, his power for evil is unbounded. The licensed brokers are publicly known to be engaged in this trade, and they carry it on under strict regulations, established by various acts, especially 25 Geo. III., c. 48, and 39 and 40 Geo. III., c. 99, and greatly amended by 19 and 20 Vict., c. 27; so that, when the business is properly conducted, it is often found to be an important assistance in the detection of crime, although it is clearly the interest of the pawnbroker, in many cases, to conceal the exact mode in which he has become possessed of the property.

But there are establishments in every large town

where money is to be had at once on every description of property, and no questions asked. It is usually done under the pretence of sale, but the money advanced, or the price given, is so far below the real value as to prove that both parties are quite aware of the real nature of the transaction. These persons call themselves brokers, or dealers in old stores, and no doubt some of their transactions are perfectly honest; but it is impossible practically to draw a distinction between them and the receiver of stolen goods, and in too many cases the name of broker is only assumed as a pretext, or as a protection, in carrying on the nefarious trade which furnishes the great practical encouragement to theft. Thieves themselves declare that if there were no receivers there would be very few thieves; what they steal would be of no value to them had they not the ready means of turning it into cash. Thieves, like all other members of the community, avail themselves of all recent improvements,—and though the electric telegraph has been a heavy discouragement to their profession, yet the railway itself affords them considerable aid. A regular traffic has been established betwixt large towns at a distance from each other, as between Aberdeen and Dundee, so that property stolen in one is sent by rail to be sold or pledged in the other,* by which the chance of detection is greatly diminished, and the proceeds are most regularly remitted in due course by post-office orders or bank credits, as if the transaction were all as correct as pos-

* Evidence of M. D. Hill, Esq., before Select Committee on Transportation, June 1856, sec. 1802.

sible, and so as, after all, to give some colour to the questionable assertion that there is honour among thieves.

Besides the regular licensed pawnbrokers and the dealers in second-hand commodities, and the known receivers of stolen goods, there is a numerous body of unlicensed pawnbrokers who contrive to carry on a trade very profitable to themselves, very injurious to the public, and at the same time in flagrant violation of the law, and yet so managed that with the existing squeamishness in these matters it is scarcely possible to prosecute the offenders to conviction. There are many various modes in which this business is carried on. One of the most ruinous forms is well known in some parts of Scotland by the name of "*wee* (*i. e.* little) pawns;" in England the places where it is conducted are termed "bundle shops." The trade is thus managed: on rising in the morning some article in the house which is not required during the day is carried to the shop—it may be a blanket—neatly tied up, and with the owner's name written upon it. For this the receiver advances a penny, or twopence, or threepence, and the parcel is put aside under the pretence of safe custody during absence at work. In the evening it is reclaimed and at once delivered, but on repayment of the penny advanced with cent. per cent. interest for its use for twelve or fourteen hours—that is, for the penny twopence are paid. The folly, the iniquity, and the extravagance of such a system are unparalleled, and it is only owing to the smallness of the individual sums that it is not at once apparent to the thoughtless borrower. It is understood that never

more than two or three pence are thus borrowed, and that the articles left are usually of many times greater value; and it is not the practice of the very poor, but of those who are pretty certain to have the means of reclaiming the bundle at night by the money earned during the day. The money is sometimes spent in purchasing the materials for breakfast, but more frequently in procuring the morning dram. Men need sometimes to be protected against themselves, and surely this is a system of extortion which deserves to be forcibly suppressed. To shew it in its full extent it may be put in a larger form. If any one started with a capital of £50 in this trade, and could fully employ each separate penny of it for each day of the year, he would in twelve months turn his £50 into £18,250. Truly in such a case the greatest oppressors of the poor are those nearest to themselves in social position, and at this moment there seems to be no legal means of putting down the system. The law does not regard it as unlicensed pawnbroking, nor as thieving, nor even as usury; it has acquired no legal name, and it is safe.

It must be confessed that the subject of second-hand goods is not free from difficulty. It is objectionable to interfere with what has the semblance of a fair and honest trade, and there can be no doubt that to deal in second-hand property is a necessary branch of commerce; but if, on the other hand, it be proved that this trade, as now conducted, leads directly to crime, then higher interests demand that it be placed under strict control. It seems impossible in practice to make

any separation betwixt the honest and dishonest dealer in old stores; for the public good they must be all placed under like superintendence.

The first step to be taken is to suffer no person to deal in those articles who has not obtained a licence; which licence shall only be granted on the recommendation of parties of known respectability, and be liable to forfeiture at any time on proof of misconduct, and once forfeited never to be renewed; the house also to be inspected and reported as suitable for the purpose, having no concealed closets or trap-doors, and no communication with more than one street. The licence ought to be on condition of the house being at all hours open to the police, of every transaction being regularly entered in books, and every article ready to be produced on demand by the police; and that no transaction of any description take place with boys or girls evidently below 15 or 16, nor at unseasonable hours—say after 8 or 9 P.M., nor before 6 or 7 A.M. Parents cannot send their children to a worse place than the broker's shop, save only to the gin palace.

The existence of even the respectable pawnbroking establishment as at present conducted is, in many ways, inconsistent with the public welfare, and that where no encouragement is intentionally given to thieves, and where all the transactions are intended to be honest. The rates charged for loans are very high, and the additional profits realised by the sale of forfeited pledges is very great, and all this falls on those who can least afford it, who are verging towards poverty, and whose downward progress is rapidly ac-

celerated by every visit to the pawnbroker. In all other transactions of borrowing and lending, it is a universal principle, that when ample undoubted security is offered, then the borrower is accommodated at the lowest current rate of interest; but in pawnbroking, though it is believed that, as a general rule, not more than one-fourth or one-fifth of the value of the pledge is advanced upon it, yet a rate of interest far exceeding the current value of money is exacted, and that, too, much higher on the smaller transactions than on the larger. For any sum under 20s., 4d. a-month is the rate allowed; so that for 10s. lent for a year, 4s. of interest is allowed, or 40 per cent.; from £6 to £10, 3d. per pound is allowed per month, or 36 per cent. per annum; and if the goods be not redeemed at the end of twelve or fifteen months, they become the absolute property of the broker; and here is their greatest source of profit—far exceeding even the high percentage allowed them. The only serious drawback to the trade is, that stolen property, when discovered, must be given up without compensation. The effectual cure for this evil would be to establish, wherever necessary, public pawnbroking establishments, where money should be lent at a rate barely sufficient to pay expenses and the current rate of interest, and where, when a pledge is sold, the balance of the price shall be held to belong to the pledger, and not to the pawnbroker. It is only because of the feeling of odium attached to the very name of *pawnbroker* that surplus capital has not long ere now been thus invested, to the equal profit of borrower and

lender. It would, however, be much more advantageous for the nation to do the whole by public establishments; it would require a very small advance of public money for each locality, and no pecuniary loss would accrue; it would remove all delicacy as to police inspection; and the thief would rarely, if ever, venture to offer his plunder. Of course, if this plan be adopted, then all rival establishments must be put down; and then it would be very advantageous if private benevolence would take the direction of getting up funds for the purpose of lending on pledge, but without interest, to the struggling but deserving poor. These two combined would make complete provision for the legitimate relief of the industrious but hard-pressed portion of the people, while thereby little encouragement would be offered to improvidence, and still less to crime. Benevolent loans to parties of known good character when in temporary difficulties would not only greatly help them, but would have a most beneficial tendency in drawing together rich and poor in kindly intercourse.

The practice of hiring agricultural servants at markets, now so prevalent, both in England and Scotland, has a most injurious effect on masters and servants. The master has little inducement to care for his servant when he knows he can supply his place at the next market without having to answer troublesome questions; and the servants feel that their moral character is of little value, in fact is very seldom made the subject of inquiry. If a man can shew plenty of bone and muscle he will command the best wages, whatever

he may be in respect of moral conduct. In Scotland this practice is of recent introduction; but it has already gone far to destroy the good old family feeling between country masters and servants, and to destroy every bond betwixt them beyond that of paying a certain sum, and executing a certain amount of work. It is a grievous evil; but it is not easily remedied, for it is quite in unison with the tastes of the age. Register offices well kept would be an effectual cure, but neither masters nor men seem inclined to patronise them.

There are two habits in connexion with the payment of wages which are highly injurious. One of them is nearly universal—payment late on Saturday evening. This leads to much Sabbath-breaking, for it is often impossible to purchase the needed food before the following morning; and further, the most careful wife cannot make a good selection of her provisions amid the glare and noxious smell of gas. Any one who passes the butchers' shops in London about eleven o'clock on a Saturday night, and watches the scene, must be at once convinced that the purchases then and there made by the wives of working-men cannot be economical. It is impossible, in the circumstances, to judge of the freshness or the quality. Wages ought to be paid at an early hour—say at breakfast time—so that the wife may have broad daylight to enable her to select her provisions; and further, there will be more chance, even if the husband be not altogether steady, of the wages reaching her than when paid at night. It does not much signify on

what day of the six the payment is made, but, perhaps, an earlier day of the week, say Thursday or Friday, would be the most advantageous for the working-classes. The other injurious practice is paying wages in public-houses, for which there can be no defence. Many a hard-working man never quits the tavern where he has received his money, until a considerable portion of his hard-won earnings has passed into the pockets of the publican (who, it is found, is in some cases only the agent of his employer), and, at all events, only a small part of the weekly earnings reach his wife or his home. This could easily be regulated by making this as illegal by the terms of the licence as it now is to sell drink during the hours of worship on Sunday, and it is a change which few would disapprove except the publicans.

Another and very serious evil is the want of remunerative employment for women. The rougher sex has somewhat unceremoniously driven them from not a few suitable means of subsistence. Much work is done by men in the fashionable shops of our large towns, which could quite as well, and much more properly, be discharged by women. It is not manly work to count out pins and needles, or measure ribands. The effect of men doing so much women's work is doubly injurious; it not only deprives them of a portion of their proper work, but it drives them, in excessive numbers, to one single branch of employment, and thus tempts, or rather forces them, to *underbid* each other, until at last they reduce their own wages to so low a rate, that even with the most excessive toil they

cannot earn enough to support themselves. The hardships of the needlewomen of London are notorious, and "The Song of the Shirt" and Punch's gibes did good service for a time, and it is to be hoped that Lord Shaftesbury will not relax his efforts until the distressed needlewomen be placed in a better position.

There seems no good reason why the hours of work at a fashionable milliner's, and the quantity of air in her work-rooms, should not be fixed within due bounds, on the same principle which fixes those of a cotton factory. The only result would be, that more of these necessary establishments would be required, or a greater number of persons employed in those now existing.

The electric telegraph furnishes a considerable amount of female employment, and in other countries several of the lighter mechanical arts, such as watch-making, give easy and remunerative work to many women. It is very short-sighted policy in the men to object to this; for their own families would be the very first to profit by the employment of women and girls in such works.

CHAPTER VI.

FINANCIAL AND MORAL RESULTS OF STRONG DRINK.

ALL complain loudly of the amount of crime, of the trouble and expense of criminals, as well as of occasional personal annoyance from depredations on property, or injuries to person. It is no wonder, for our criminal population is both great in itself, and great in proportion to the non-criminal. We have no lack of laws against crime; nor of magistrates and police to enforce these laws; and what is yet more important, we have the mass of our people, with few exceptions, firmly ranged on the side of law—ever ready to assist in applying it justly yet mercifully. Our laws define crimes carefully, and award punishments with anxious solicitude, in proportion either to their abstract guilt or their danger to the public interest. We have had many of our best and ablest public men devoting their energies to the amelioration of our criminal laws, and yet they themselves confess with scarcely perceptible results.

There is one wide subject affecting the whole state of our crime, which has not yet received the prominence which it deserves, and must ere long attain, and that is the possible tendency of certain laws to pro-

duce, or at least to foster crime. We cordially acquit our legislators, both past and present, of the slightest intention to promote crime by their enactments, but a law may in one aspect, and to one end, be good and useful, while in another view, and to other ends, the same law may be most injurious. A law may be passed to impose certain duties, and thus raise a revenue highly advantageous to the public, and, to all appearance, derived from a most unobjectionable source; and yet this very law may, in its moral tendency, be so demoralising that it is found at last to cost the country far more money, in one shape and another, every year, than it produces of revenue. A law may be passed imposing troublesome restrictions on manufactures or on commerce, the promoters of which had no end in view but to raise from it a portion of the necessary public revenue; but the working of it leads to evasions, to tricks, to a gradual lowering of moral feeling, a departure from the pure standard of uprightness, and, it may be, ultimately, to perjury and forgery. This is not written to defend the offender, or to palliate his guilt, but to indicate a great principle which ought to be sacredly maintained in enacting laws, that they shall not be calculated in any way "to lead men into temptation." We fear, that to some of our laws we must in part, and indirectly, attribute those melancholy revelations which have lately gone so far to tarnish the fair fame of the British merchant. When a law or a practice tempts a man to tamper with his conscience from day to day in the smallest matters, he may speedily find he has placed himself in a position

from which a few short weeks before he would have shrunk with horror.

There is one branch of our revenue laws which undeniably draws its large income from the sale of what is both physically and morally injurious to the people. It is of no use to deny or to evade the difficulty of the question. It is quite true that the duties on exciseable liquors, and on licences to sell them, produce about one-fourth of our ordinary national revenue; and it is also true that there can be no more legitimate object of taxation, and none which may be more easily and profitably avoided. The law obliges no man to swallow drink, in order to contribute to the revenue of the state. It is a tax from which every one may procure permanent exemption at his own pleasure. And yet, with all these undeniable advantages, no man can truly assert that it is a profitable tax, if to raise it costs the country several times as much in hard cash as it produces. What would the House of Commons say to a Chancellor of the Exchequer who would recommend in his budget a new tax, the collection of which would cost 200 or 300 per cent. on the proceeds, and what ought the country to say to the retaining of an old tax which is not less costly? We must take broad views of such questions. It is puerile to look only at one side of the account, to rejoice over the amount of income, and overlook the expenditure which that income has caused before it is lodged in the public treasury. We speak and act as if our national income, and our poor-rates, and expenditure on criminals had no connexion with each other, and yet they are insepar-

ably linked together. They act and react upon each other, and if we would aright discharge our duty to ourselves and to our country, we must look well to it, that we pay no more for any part of our revenue than it is fairly worth, all circumstances and expenses connected with it being considered. If we thus regard the matter, we must at once perceive that we may possibly lose more than we gain by a very productive tax, which throws upon us burdens which may at first sight seem to have no connexion with it. It is useless, at the present day, to produce evidence to prove the amount of crime and of public expenditure produced directly or indirectly by strong drink. There is one unanimous opinion of the fact, expressed in varied forms by all, without exception, who have the means of knowing, that drink is the great cause of crime—that but for drink there would be little crime; or, as it has been lately admirably expressed by Mr Recorder Hill, “the beer-house and the gin-shop are the authorised temptations offered by the Legislature to crime.”

Our criminals cost us much, but our paupers cost us much more; and we justly regard them with very different feelings. We scarcely dare to grudge them their allowance; at all events, we shrink from acknowledging that we do so. We pity them; but we marvel much that they should be so numerous, and exist so fixedly in our favoured land, with all its varied industrious resources. We begin to inquire into the causes, and here again we at once encounter our great social enemy—*Strong Drink*. We have a firm persuasion

that there exists in Great Britain work, and remunerative work, for every man and woman able and willing to work, and that the remuneration would be sufficient for their support, but that there is no margin left over for strong drink. Careful inquiries lead to the conclusion, that drink is as much the cause of pauperism as of crime, generally in the person of the pauper himself; but if not, then in the habits of his immediate ancestors. There has not been the same expression of opinion perhaps on this point as upon the connexion of drink with crime; but the evidence bearing upon it is as trustworthy as the other, and from those who are best informed. No one will deny that the habitual drunkard speedily reduces himself, and, except in rare cases, his family also, to a state of pauperism.

But the evils of strong drink extend much beyond the notorious drunkard. The sum spent by even a moderate drinker makes a great inroad on his weekly earnings. A working-man in Great Britain can earn, by steady industry, enough to support himself, his wife, and family in comfort, as is proved by ten thousand humble but happy homes both in town and country, homes at times so happy that the wealthiest might envy them; for they are full of love—love to God and love to man. Those living in affluence can hardly realise the possibility of wages from twelve to sixteen shillings a-week being sufficient to support a father and mother and three or four children, to lodge, feed, clothe, and educate them; and yet it is a certain fact, that the great bulk of our labouring people have not,

on an average, a larger weekly income. It is self-evident that there is no room here for expensive indulgences, and that if any considerable portion of the weekly wage be devoted to drink, a gradual process of impoverishment must go on, till the self-sustaining family find itself at last in absolute penury.* It is a question of time and of money, but the solution is certain. By far the greater proportion of our new paupers are persons brought upon the parish by habits of intemperance.† If a man of intemperate habits make from ten to fifteen shillings a-week, he will spend on his drink at least one-half; if he earn twenty to thirty shillings, he will spend one-third in his debasing indulgence, and that for himself alone, even if his wife and children do not participate with him; when they join him in his drinking, the family has nearly reached the lowest point of degradation. It is one of the laws of our moral being, that whatever evil is permitted aggravates and fosters other evils. Pauperism is not in itself necessarily a crime; but it has a great tendency to produce crime, by exposing to the strongest temptations, just as crime is almost sure to lead to poverty.

Another view of the effects of intemperance deserves notice: it incapacitates the man for a time for his work, it reduces the number of his weekly hours of labour, and thus, in another form, diminishes both his earnings and the public wealth. It is true—alas that it should be so!—that some men endeavour to avoid

* “Grinrod’s Bacchus,” p. 125.

† “Pashley on Pauperism,” p. 98, 99, 105.

this by devoting to their drinking the hours which ought to have been devoted to repose; and, worse still, there are not a few, who, keeping sober during the working days, desecrate the Lord's day by giving it up to strong drink; and both these parties flatter themselves that thus they at least lose no time. They are altogether mistaken. The regular repose of the night, and the resting of the Sabbath-day, are both alike necessary to the restoration of our frames, after their daily and weekly labours, and no one can with safety long infringe the laws of our being. He may pay the penalty in one form or in another; but sooner or later he must pay it to the uttermost. There are exceptions to all general rules; there are rare cases of frames so hardy that no ill-usage seems to affect them; they brave and defy what would destroy other men; and we know no more fearful sight than that of an aged hoary drunkard boasting of his ability to swallow strong drink with impunity, and glorying in having daily, during a long life, debased himself below the level of the brute creation. Were there no hereafter, he might have some small cause to glory in his strength; but viewed in the light of the judgment-day, what profit does he make of his drinking?

Insanity is the most awful disease to which man is subject. It has been studied with much care; its causes sought out, as well as its cure; and what is the result? It is that a large proportion of the inmates of our lunatic asylums are placed there by strong drink. The medical attendants of our hospitals tell

us that the cases which perplex them most, and which can be least alleviated by all the resources of their profession, are those caused or complicated by strong drink; and when a scourge like cholera is sent by God amongst us, then drunkards are its first and surest victims.

In order to have a just view of the true bearing of strong drink on our national wealth, it seems perfectly fair to make up an account by stating what drink absorbs annually from the industry of the country, and what is required besides to repair the damage it has done on the one hand, and placing on the other the amount of national revenue derived from it; or, in other words, to *credit* drink with the revenue from spirits and malt, and to *debit* drink with its cost price to the working classes, adding a large portion of the cost of our paupers and of our criminals.

How, then, does the balance stand? It has been ascertained with tolerable certainty that the expenditure for strong drink in this country last year, and that mostly by the working classes, was as follows:—

Gin, whisky, rum, and other spirits,	£29,810,000
Beer,	25,383,000
(Besides beer brewed and consumed in private houses.)	
Total,	<hr/> £55,193,000
This statement takes no account of the expenditure for wines and the more refined descriptions of drink.	
Add to this two-thirds of cost of pau- pers,	4,000,000
Two-thirds of cost of prisoners, say .	660,000
Making a total of	<hr/> £59,853,000

What return is made in the shape of public revenue?

The duty on spirits in 1856 was . . .	£7,877,824
The duty on malt,	6,676,349
Licences,	1,399,673
Sum,	<u>£15,953,846</u>

If we deduct this sum of gain from the amount of loss, it shews a balance against the country of £43,899,154.

The expenditure of fifty-five millions and upwards for beer and spirits is almost exclusively from the wages of the working-men of Britain; for the quantity consumed by all those who do not depend on manual labour is comparatively small, and the quantity exported is trifling; but allowing £5,000,000 a-year for these, we have still £50,000,000 a-year extracted by strong drink from the pockets of our lower classes, and the direct return made to the public for this is a revenue of £15,953,846 for the public service. Fifty-five millions is a large sum, and forms a large item even in the vast annual expenditure of Great Britain. Were it for a beneficial purpose, no one could find fault; but when it is almost exclusively for evil to the whole country, no man need be surprised or offended if it be deeply deplored and severely reprobated. The whole value of spirits drunk is worse than wasted. A portion of the beer may possibly be usefully employed, or at least not injuriously, in private houses; but it seems clear enough that the public beer-shops in England are among the greatest nurseries of crime.

Professor Miller, one of the highest living authorities in matters of physiology, asserted, in his eloquent lecture on abstinence, in Exeter Hall (30th December

1856), that alcohol was not in any sense *food*, but only *physic*, to be taken when required. Dr Carpenter of London, an equal authority on the subject, expresses the very same opinion in his "Use and Abuse of Alcoholic Liquors." If physiologists declare strong drink to be useless for the nourishment of the body, and if the all but unanimous voice of those who have to do with criminals and paupers denounce it to be the cause of almost all our crime and poverty, is it not folly to continue to raise from it a revenue which costs us nearly four pounds to put one pound into the national treasury? The whole question, however, is beset by practical difficulties, on account of the deep-rooted and long-recognised practice of raising a large amount of revenue from this source, and also the very important interests at stake. Agriculturists would be alarmed by the idea of losing the market for 5,000,000 quarters of their barley and other grains, and distillers and brewers would very naturally endeavour to defend their profitable manufacture. The interests vested in strong drink, and the habits of using it, are too wide-spread to permit any great and violent change to be suddenly made.

If the taxes on strong drink were removed to-morrow, of course drinking would not on that account come at once to an end; too many have acquired tastes and habits not at once to be abandoned, save under the influence of principles which cannot be communicated by act of Parliament. But several advantages of the highest importance would at once result from making a commencement in the right direction. The

nation would be in the way of being delivered from the guilt of raising a revenue at the cost of the souls and bodies of the people. The field would be in the course of being cleared for the Legislature gradually to introduce such measures as would best tend to discourage drunkenness and cherish sobriety. At present all such plans are met with the perplexing reply, "Remember the revenue; you must not touch it. Your plan may be very desirable, but it will reduce the national income; so say no more about it." Were it once acknowledged that strong drink is not a laudable source of revenue, this argument would altogether lose its force.

The poet Cowper took the right view of the subject when he wrote:—

" The Excise is fatten'd with the rich result
Of all this riot ; and ten thousand casks,
For ever dribbling out their base contents,
Touch'd by the Midas finger of the State,
Bleed gold for ministers to sport away.
Drink and be mad then, 'tis your country bids !
Gloriously drunk, obey the important call !
Her cause demands the assistance of your throats ;
Ye all can swallow, and she asks no more."

The Task, Book iv.

We are all looking for a large reduction of taxation, and now is the time for the Chancellor of the Exchequer, and for the two Houses of Parliament, to consider the question in all its bearings; and we trust that the matter of strong drink will not be wholly overlooked, but viewed in such a manner as shall at least lay the foundation of future sound legislation, on

the principle of raising no part of our revenue in such a manner as to foster crime and pauperism. The income-tax is felt by us all to be a very heavy burden; but drink, taken in all its forms, is heavier far. Before the war additions, the income-tax was about six and a half millions, or about one-tenth of the expenditure for drink, including the purchase price and the cost of the produce. At the war rates the income-tax was doubled, still drink cost about five times as much. We are disputing warmly about new arrangements of our revenue and expenditure, consequent on our return to peace; and it is a suitable occasion to introduce right views of this portion of the national income and its effects. The annual expenditure on drink, accumulated for only fourteen or fifteen years, would pay off the whole national debt; or, if annually invested by the present spenders in prudent permanent improvements, it would in half a century increase the agricultural and manufacturing resources, the means of communication, and the comforts of the inhabitants, to an incredible extent. Fifty millions of pounds spent annually within a very limited portion of the earth's surface, are a mighty engine either for good or for evil to its inhabitants.

Many kindly but ill-advised persons speak strongly in favour of not restricting working-men in their enjoyments, and of the necessity of drink to keep up their strength and spirits. Some even go further; they maintain the absolute abstract advantage of jovial tavern meetings, and act accordingly by giving every encouragement to them, and they reward special exertions by a glass of gin or whisky. They thus sow the

seed; it rarely fails to grow; but they little think how bitter the fruit of their injudicious kindness may be, leading, as it is but too apt to do, to the formation of confirmed habits of intemperance.

Fortunately for the interests of society, the effects of drink are brought under the notice of men in different positions, and who have had varied early training. Were only one class to bear evidence, its force might be questioned; when several concur, the result approaches, as nearly as any human evidence can, to absolute certainty. The classes before whom the fruits of drinking habits are constantly brought, are the judges of the land, the officers of the army and navy, clergymen, city missionaries, governors and chaplains of prisons, and the magistrates of police-courts. They all give one testimony. Judges declare that but for drink they would have few criminals to try; officers tell us that but for drink they would have few court-martials to attend; clergymen and city missionaries tell us, that in every degraded family or brutalised individual they encounter the effects of strong drink. In every report of governors and chaplains of prisons, it is held up as the chief cause of crime; and it forms the staple commodity in the published reports from police-offices. If yet further proof be wanted, it will be found in the confessions of nine out of ten convicted criminals, that it was drink, or the desire of drink, which led them into crime.

Much may be done in various ways to abate this monstrous evil. Acts of Parliament have no power to make men religious, nor even moral; but they have

much power to remove temptation out of the way, and thus indirectly to accomplish the greatest good ; and for this purpose they must be here employed, leaving to the missionary and the clergyman their proper work of instilling purer and better principles.

The effect of wise legislation on this subject has been most amply proved by the results of the act for Scotland, so well known as Forbes Mackenzie's, which restricts, though in a very moderate degree, the hours of access to public-houses. The practical good done by that measure has been very great ; and no better proof can be had of this than the outcry raised against it by certain classes of the community. The police returns in Glasgow, Edinburgh, and Dundee, shew the very great diminution of cases which has been caused by it, especially on Sundays. Thus, in Edinburgh, the total number of cases of drunkenness in 1852 was 9767 ; in 1856, 7736 ; a reduction of 2031 ;—the Sunday cases in 1852 were 1352 ; in 1856, 779 ; a reduction of 573 ;—and the cases from eight A.M. of Sunday to eight A.M. of Monday were in 1852, 700 ; in 1856, 185 ; a reduction of 515. And in Dundee, in 1853 and 1854, the Sabbath cases were 408 ; and in 1855 and 1856 the number fell to 164 ; a reduction of 244. The effect of unwise legislation, by reducing the duty of spirits in Scotland, in 1826, was equally remarkable. In a few years the consumption increased fivefold, and Scotland passed at once from being, in its own estimation at least, the soberest country in Europe, to being with one exception the most drunken. This evil pre-eminence still continues ;

and it has been stated as a fact in illustration of it, that when a regiment is now moved from Ireland or England into Scotland, punishments for drunkenness instantly increase largely in number. The Legislature, however, ought to go much further than Mackenzie's Act in the same direction, and so as gradually and steadily to diminish the number of licensed houses, until none be left but those required for actual travellers.

The resort of men to public-houses for refreshment after work, or in the intervals of work, instead of to their own homes, is a national evil, and one which ought not to be endured by an enlightened community. It is a canker, corroding and consuming the very vitals of society. The practice is inconsistent with the wellbeing of families. If the head of the household do not find his choicest happiness with his wife and children, be he a rich man or a poor man, that family is on the high road to destruction. As things are now managed, the public-house stands open at every corner, luring the working-man to enter in and be destroyed. The reduction of the number of licensed houses can only be accomplished by a total change of the present system of licensing, and of placing it in the hands of persons who have no local interests to favour, nothing to regard but the sobriety and necessary accommodation of the community. Unnecessary public-houses must be regarded by the licensers as nothing but great sources of injury to the public wealth, and therefore to be abolished with all convenient speed. At present licensing magistrates too often act as if it were their

only business to multiply them as much as possible. Besides the actual crime which they produce, they make a large annual deduction from the produce of the industry of the country. How many men in Birmingham and Sheffield spend Sunday, Monday, and perhaps Tuesday in drinking, and then Tuesday or Wednesday in sick repentance, and only resume work on Wednesday or Thursday, thus working but three, or at most four, days in the week, producing only one-half or two-thirds of what they ought, and thereby diminishing the national wealth as well as their own ! And these very men are highly skilled labourers, earning large wages, but making the worst use of them. Is it not the nation's interest as well as duty to endeavour to mitigate this evil ?

It is often asserted, that if public-houses be diminished, drinking at home will increase ; it is a complete mistake. The cause of the present abounding drunkenness is simply, that working-men are so beset by these fatal snares that they can scarcely escape them. Old confirmed drunkards would probably continue their infatuated career even were few public-houses in existence, but the young and the middle-aged might be saved. Home-drinking is bad enough, but it is nothing to the potations of the tavern, and it is far more likely to yield to the influence of wife and children, and friendly Christian visitors. In some parts of the country there is a licensed public-house to each forty or fifty dwellings, and yet we wonder that drunkards and criminals abound.

Special care ought to be taken in selecting proper

situations for licensed houses. It is marvellous that the public has not risen in rebellion against the prevalent practice of selling spirits at railway stations, or their immediate vicinity; it is fraught with danger to travellers. Let the higher officials be as vigilant as they may, it is impossible for them to scrutinise every stoker or driver, who has only to take a step from the engine to the tap-room and back to the engine; and a single glass of spirits may imperil the limbs and lives of hundreds. Even a half-tipsy passenger placing himself unnoticed among a party of unprotected females causes intolerable annoyance; and yet the means of intoxication are liberally offered at every station, under circumstances which make it wellnigh impossible to detect the offender until too late.

Legislation on this subject must be both gradual and gentle. One great difficulty appears at the outset, that it bears the semblance of legislation by the rich to the annoyance of the poor. Happily excessive drinking is now nearly unknown among the higher classes as a body; it is almost exclusively confined to the lower and lowest; but there are unmistakable symptoms of a growing desire, even among them, to get rid of strong drink, and very decided movements to that end have been largely supported by them, not always either on sound principles or to permanently good results, but still sufficiently indicative of public feeling. It is the duty of the Houses of Parliament to meet and encourage the feeling in every way. Consult the women, and mothers, sisters, wives, will be all but unanimous—consult the men, and the majority will be

in favour of sobriety ; only, the appeal must be made not to “ Philip drunk, but to Philip sober ;” the votes must not be collected in tap-rooms or gin-palaces.

A clear distinction ought to be laid down from the first, and carefully maintained, in our legislation, betwixt the production and use of spirits on the one hand, and of wine and beer on the other. The three substances are essentially different, both in their natures and in their effects. The first efforts of legislation ought to be directed against all the varieties of spirituous liquors as purely noxious, and whatever penalties may be necessary ought not to be by *fine* but by *personal punishment*. The fines under the present system are simply a sort of risk of insurance, borne by the party, and paid as a portion of the trade expenses.

These alterations in our Excise laws cannot be urged on very rapidly : they must have the sanction of a large amount of public concurrence, without which the best laws may be enacted, but fail to be observed. Public opinion is shewing itself strongly opposed to drunkenness ; let not our legislators be behind their constituents, but grapple vigorously with the evil, commence boldly with the worst forms of it, and drive it from one stronghold after another, until it be banished as thoroughly as laws can do it from our shores. The end to be ever kept in view is, that a time must come when no portion of our national income shall be derived from the annual ruin in soul and body of thousands and tens of thousands of our fellow-citizens.

Changes of law can only prepare the way and re-

move obstacles; the real reform must be effected by the diffusion of sound religious principles throughout our masses. For this there are now large and energetic exertions made every day, and with no small success, and the time may not, perhaps, be very far distant when habitual drunkenness shall nearly disappear from amongst us. Whenever the people begin to acquire higher and purer tastes, they will also begin to realise to themselves that drink is their worst social enemy, and temperance their best social friend, and then, either with or without the help of legislation, the good work will go rapidly forward; and when all are resolved to regard these things in the light which shall be thrown upon them by the judgment-day, there will be no further use for laws to put down drunkenness and encourage sobriety.

CHAPTER VII.

MOTIVES OF CRIMINALS, AND PRINCIPLES OF PUNISHMENT.

THE love of money and the love of pleasure are two of the strongest motives in the natural heart of man. When they become excessive, inordinate, uncontrollable, they are the immediate cause of almost all crimes, of all, indeed, with the exception of the few caused by angry passions, and even of these they are in many cases the remote cause. The Scriptures tell us that "the love of money is the root of all evil;" and truly our experience in modern times does not contradict the assertion. The truth of the statement is as much proved by the delinquencies of the higher as by those of the lower classes; and all ranks, high and low, rich and poor, have much need at the present day to ponder deeply on that other saying of the same Divine authority, "They that *will* be rich fall into temptation and a snare, and into many foolish and hurtful lusts, which drown men in destruction and perdition,"—a most graphic description of the career of our modern criminals, whether they be genteel swindlers or low-born thieves.

The mere love of money for its own sake, and without regard to its rightful use, is a mean, debasing passion, loudly condemned by all who are not its slaves. But this is not the form which it usually assumes among criminals in our day ; money is rather desired in order to spend it, not for the glory of God or the good of men, but for foolish display or criminal indulgence. And this is the case in all classes of criminals ; only the particular forms of display or of indulgence are regulated by the social position of the offender. The high offender buys pictures and articles of vertu ; it may be subscribes largely to charitable institutions, and drinks champagne and Burgundy. The humble offender, when he can, decks himself and his female associates with trumpery ornaments, and drinks gin and double stout. The principles which actuate the one and the other, both in acquiring and spending, are identical.

Our national industry is the source of all our marvellous national wealth, and there are many promises of blessing in Scripture on honest industry, never, perhaps, so fully realised as in our own land ; and yet each individual, whatever be his station, who is engaged in the busy pursuits of trade and commerce, has need to watch very earnestly over his own heart, lest, in the keen race of competition, he be tempted to take the first false step which may end in his ruin.

In most classes of our country, wealth, in one form or other, is held up to the young as a thing which must be acquired ; in fact, it is a principal motive with all. This sends forth our youths to make their for-

tunes in India, cheerfully leaving happy homes to gain the golden prize. This sends multitudes from rural districts to the great marts of trade and manufactures to toil for the same end; nay, the same principle, in the form of *providing* for a family, enters largely into the feelings of a father in procuring a commission or a step for his gallant boy, or a living for his studious son. In short, in our busy country we are almost all more or less in pursuit of wealth, and it is not confined to the manufacturing and mercantile portions of the community, who are usually spoken of as the money-making people. The country gentleman, improving his paternal acres, is as much influenced by it as the banker or tradesman.

If this feeling be so strong, and if the temptations arising from it to do wrong be so powerful even among those who might be supposed to be exempted from it and to live above its influence, ought not the higher classes to deal tenderly with those who are avowedly much more exposed to the temptation of making free with their neighbours' property? We are all of us ready enough to forget how apt we are to offend in ways over which the law has no power.

Among the industrial classes, one of the first and most abiding principles put into a child's mind is, "that to win money is the main business of life." Now, this is clearly wrong; it is not the main business of life to win money, and the acquirement of it for its own sake will never produce a happy or a useful life. But it is a principle in nearly universal exercise among all classes, and we must therefore deal frankly with it,

and try and put it in its proper place. If the desire be steadfastly kept in the second place, and not in the first, it is a valuable and a Christian motive. It is a man's duty to provide for his family, and the amount and style of that provision depend on the rank in which God has placed him; and the British peer who, in the frenzy of the French Revolution, apprenticed his son and heir to a shoemaker, shewed as little of true wisdom as of parental affection.

The inordinate desire of riches in all ranks seems to be one of the very distinctive characteristics of the age. Within due limits, it is the mainspring of industry; but these limits it often overpasses. The main duty of life is neither to acquire nor to accumulate wealth, and all experience proves that few of those who give themselves to this as their only end in life are eventually successful, and not one of them spends a useful, happy lifetime. The path is too slippery to be trodden with safety or comfort. Wealth in itself is of no value; but as a necessary means to important ends it is invaluable; and in this subordinate view its pursuit is to be commended. The man who looks upon it solely for its own sake, or for the fleeting indulgences it can procure, pursues it with all the eagerness of a resistless passion, and if he misses his mark, he is miserable. The man who regards it only as a means, and for the sake of what it enables him to do, pursues it calmly and deliberately. If he succeeds, he is thankful; but if disappointed in his hopes, he still retains his peace of mind, and steadfastly renews his labours. The riches which the Christian man values are depo-

sited safe from all the changes of this passing world. The haste to get rich, in the present day, is leading all ranks astray. Wealth is regarded as the best of all things, and conscience is hardened, and common honesty disregarded, in the violent pursuit of it.—
“*Rem, quocunque modo rem.*”

This evil principle has insinuated itself by degrees into the public mind, and gradually taken up its abode in quarters where its presence is not suspected. It leads obviously and at once to those flagrant breaches of trust, embezzlement, and forgery, which now from time to time startle the whole country. It is this which produces the adulteration of food, and it is this which fills the gambling-house, the betting-room, and the race-course. A few are there from a love of excitement, termed also a love of sport; but the great majority are there for no other purpose than to acquire money with little trouble. One publicly authorised variety of this principle, the state-lottery, was, not many years ago, put down by law. It was a wise act of legislation, which met with nearly universal approval, and its results have been highly beneficial. But though the lottery was forbidden, the taste was not extinguished by the act of Parliament, and this appeared in the recent demand for a repeal of so much of the law as applied to the lottery of the Art Union, which passed both Houses with little or no opposition, and thus made this petty gambling legal, though it could not make it rightful. The same principle breaks out in the occasional raffle, whether it be on pretence of raising a small sum for a destitute family, or clear-

ing off the unsold goods on the tables of a ladies' bazaar. There may be doubts as to their strict legality; there need be none as to their morality; they are simple workings out of the desire of obtaining property without giving a just equivalent for it. Most of those who take part in them do it in simple thoughtlessness; it never occurs to them that they are following out a wrong principle, one which, in one or other of its Proteus forms, meets us and injures us every day. The Christian law, "Love thy neighbour as thyself," strikes at the root of these practices; and the golden rule, of doing to others as we would that they should do to us, effectually condemns them all.

The public mind connects crime too exclusively with the lower classes of society. It is very far from being their special characteristic; indeed, it may well be doubted, counting the relative numbers, whether there be not as much crime at this moment among the higher as among the lower ranks. It is true, the offences do not assume exactly the same form; but the principles of action are the same. The well-dressed shopkeeper who adulterates his commodities, but never thinks of extracting purses from the pockets of his customers; the magnificent swindler, who, by ingenious forgeries or by simple false statements, appropriates to himself the property of others to an almost fabulous amount; or the man upon the turf, who knows and rejoices in schemes of doctoring this horse, and making the other safe—are actuated by the self-same principle as the little ragged urchin who

filches an apple or a chestnut from an old woman's stall. The only motive, in all these cases, is the low, vulgar, unmanly desire to obtain a neighbour's property without giving him a fair return for it.

There is a strange feeling in the heart of man, which produces a certain amount of admiration in contemplating splendid success, even in crime; and the Spartans of old went so far as to recognise it by laws encouraging successful theft. It is the same which leads us to admire an Alexander the Great, a Napoleon the First. We admire the energy, the courage, the talent of the individual, and we forget the millions of men, women, and children, slain, maimed, and beggared, in order that on their destruction and ruin one individual may be raised to the topmost pinnacle of the temple of fame. The same feeling produces a certain amount of admiration in reading the record of successful villany; not, indeed, on the part of the immediate sufferers, but in the public mind the criminal is at once reprobated and admired. We ought not to allow ourselves to be dazzled by the brilliancy of a criminal action; we ought to strip it of its concomitants, and look at it in its own proper vulgarity and ugliness. It is as dirty an action to plunder a railway company of half a million, as to pick a pocket of half a sovereign; and if there be sympathy at all, it would be better bestowed on the small offender, who probably had far greater temptation to commit the crime than his more magnificent fellow-sinner.

The regular thief who lives by his profession is a

very peculiar variety of the human species; and his characteristics must be carefully studied, if we would know how to treat him. The moving principle of his whole course of action is to acquire property without labour—without giving an equivalent for it. His object is not to acquire wealth, but to provide the means of immediate animal enjoyments. If he shews little appreciation of the value of property to his neighbour, he shews quite as little idea of its value to himself. It is spent nearly as fast as it is acquired, and the largest plunder rarely affords more than a few days, or at most, and in rare cases, a few weeks of foul and riotous revelry. A clever, lucky thief spends a handsome income yearly at the public cost; he makes no return for it, and it leaves himself no permanent profit. There is, however, a certain amount of trouble which must be taken even in following this profession; and there is at times no small amount of talent required, for plans must be laid with skill, and much ingenuity, both mechanical and mental, is often employed in carrying them out. There is, too, a certain amount of romance in the life of the thief or the housebreaker. He prides himself among his comrades on his success, for the mere sake of the success; and, what is very surprising, there is a certain amount of sympathy and encouragement thoughtlessly given to this by the public, as is proved by the readiness with which tales of such deeds, whether true or fictitious, are read, and even praised and quoted. The top thief counts himself a sort of hero—a Paladin—whose honour is at stake on his success; he

is proud of a well-planned, well-executed enterprise, and a thoughtless portion of the public cheers him on, reads his story, and admires his skill, forgetting that it may be practised next day at its own cost, and wholly overlooking the sinfulness and misery of the career.

The only radical cure for these evil motives, whether in the high or the low offender, is the implantation of other and better principles; and this is fairly beyond the power of acts of Parliament. All they can do is to remove obstacles, and afford encouragements to every public and private effort towards so desirable an end.

Such being the most common motives of criminals, can we frame our punishments so as to be likely to have a beneficial influence upon them? and are there any obvious rules which can be applied with good hope of success?

There are two distinct objects proposed by punishments—to deter, and to reform; but these can scarcely be separated in practice, they must be combined in one complex treatment, including both; and if either be neglected, then injustice is done to the criminal or to the public.

One very obvious rule to be observed to make a punishment deter is, that it be as nearly as possible in direct contradiction to the motive which tempted to the crime. Offences against property are committed in order to obtain it without labouring or giving a fair return for it. There is no royal road to wealth, any more than to learning—both are to be acquired by

long-continued patient industry ; and this is a path altogether distasteful to the habitual criminal ; he seeks to become rich, or at least to acquire property, without taking the necessary trouble. It is this desire which prompts the common thief, the forger, the swindler, the gambler, the adulterator of goods. For all these the right punishment is labour, and to a large extent this is the practice of the day. But though work may be distasteful to many a criminal, and, therefore, so far calculated to *deter* him, the other element, *reformation*, claims the higher place in our arrangements, and it demands that every care be taken to make work agreeable to every prisoner whom we hope so to reclaim as at last to form in him a habit of patient industry. This is one of the vast advantages of separate confinement, where work is soon felt to be positive enjoyment in comparison with solitary idleness. It is a strong argument against the tread-wheel or the crank for thieves. These are known by the prisoners to have no purpose, and to be turned to no account except to punish them ; they can teach no habit of industry, nor give any taste for work ; they may deter, but they can rarely be expected to reform. Work, as now managed in well-conducted prisons, is in general at first disagreeable to the newly convicted, it gradually becomes less so, and finally it becomes a cherished privilege. When this point has been reached, then the habit of industry has been to some extent imparted.

There is one consideration hitherto almost wholly overlooked by our laws, which ought in justice to form

part of punishments for offences against property—and that is, compensation to the injured party. To be feloniously deprived of property often inflicts an injury greater than the market value of what is stolen, but the law does not require the offender to make compensation. If the stolen property be produced on trial, it is no doubt restored by the court; but if not, the sufferer is left to bear his loss as best he may. A purse well filled with gold and bank notes is stolen. At the trial, the purse is produced and identified, but the contents are gone—the value contained in the purse is proved—the thief is convicted and sentenced to a certain term of imprisonment—and the injured person has his purse carefully returned to him; but not a word is said of the contents; he is presented with the husk, but gets no tidings of the kernel. By this mode of proceeding, the injurer and the injured are both punished; and the latter, it may be, more severely than the former. It would seem only fair that the thief should be constrained to pay at least the value of what he had stolen, and it would be perfectly just that he should be detained at work until he had done so. No sentence would probably have so deterring an effect in itself—none could be more equitable; unfortunately, there are considerable difficulties in carrying it into effect in the present state of the country. Its absolute justice is fully acknowledged by the various restitutions of two, or four, or five times the value of the ox or ass stolen enforced by the Mosaic law;* but the circumstances of Israel, where

* Exodus xxii. 1-4.

every family of necessity possessed a freehold, made this comparatively easy among them; among ourselves it would be well if we could even attain to simple restitution.

There is another important view of this matter. The members of a community are entitled to expect from the public the protection of their property against thieves and robbers. If that protection be not afforded, who ought to suffer—the individual, or the public? What would be the effect of admitting the principles of repayment by thieves, and failing this, of compensation by the public? Most assuredly it would tell speedily on the thieving portion of the community, who would in no way relish the idea of having to repay the value of what they had stolen. It would act also quite as effectively, though in a different manner, on the public. If a town or a parish was liable to be rated to make compensation to the sufferer by theft or robbery, there would speedily be a vast improvement of local police forces, an extension of industrial schools, and a corresponding prevention of crimes. People are not now sufficiently alive to the evils produced by crimes against property; comparatively few suffer personally from thefts or robberies, and they trouble themselves little about them until they themselves happen to be touched; but if all had to contribute of their own cash to pay for the loss sustained by their neighbours, they would take a lively interest both in preventing and detecting crime. Too little regard is had to the distress caused to the industrial classes by crimes against their property.

A lady or a gentleman may have a well-filled purse, or a watch with costly appendages, cleverly abstracted, and the loss is scarcely felt—all can be replaced without perceptible inconvenience, or perhaps it is well-nigh compensated by the interesting talk it furnishes for a few days; a good story to tell to friends and acquaintances, during a dearth of matters of public interest, is well worth a moderate sum. It is a very different affair when property to the same amount is stolen from a working-man. His watch is the result of months of earnest toil and prudent economy, not soon to be replaced. His purse may contain the fruits of years of industry, just drawn from the savings bank, to pay for a judicious investment in house or land, or it may be to portion a daughter, or set up a son in business, and the loss may be nearly equivalent to the worldly ruin of the whole family. Is not society bound to protect every citizen against such losses; and if it fail to do so, is not compensation a matter of simple justice?

It would, however, be very difficult to carry this out fully at the present moment, and there would be the obvious risk of any endeavour to do so only opening up a new mode for thieves to levy their contributions on the public by pre-arranging thefts from each other. Still, it might not be inexpedient to give to juries a power to award compensation in cases of peculiar hardship, and where it appeared that there had been a deficiency of protection on the part of the public, and that the articles stolen had been in reasonably safe keeping. It would be manifestly absurd to give

compensation for goods recklessly exposed so as to tempt the dishonest passenger, as is now too common a practice in large towns. Had the citizens of Liverpool been liable to have a rate laid upon them to repay the large sum stated to have been stolen there in one year, they would have found it much cheaper to establish an efficient police; for with a well-organised police force, such extensive systems of theft would be all but impossible.

The amount stolen might be partly worked out by criminals in the convict prison cell, partly in the associated gang, as at Portland or Dartmoor, and partly after restoration to liberty, being considered all along as a debt due, which it most assuredly is. If to be discharged while in confinement, the whole of a prisoner's earnings would, in most cases, require to be appropriated to this purpose, and his expenses borne by the state. The principle is not altogether strange to the laws of England; it was to some extent embodied in the Anglo-Saxon institutions of "*Tithings*," in which each man was security for his neighbours, and bound to produce the criminal, or pay for him.* The result of this ancient arrangement of matters was perfect, if we may trust the monk of Croyland, who asserts that in those days, if a traveller left a sum of money in the fields or on the high road, he would find all safe next morning, or a month after.† Many changes must be accomplished ere a modern chronicler

* See Spelmanni Gloss. *in voce* Borsholder, and Wilkin's "*Leges Anglo-Saxonice*," p. 201, and "*Fleta*," book i., cap. xlv., sec. 10.

† "*Jngulphi Historia*," p. 28. Edit. 1684.

be able to give a like account; but the recent act for the trials of juvenile offenders, 1847, admits and enforces the principle to a small extent.

There is one difficulty in awarding just and equal punishments, which seems inherent in all, and to be wellnigh insuperable. It is that the self-same punishment falls with very different weight on different individuals, what is slight to one is severe to another. Take the vulgar case of flogging. If several boys receive the same number of stripes, no two of them endure the same punishment, even if every stroke be inflicted with equal force. One will have undergone excessive pain, and will long feel the effects, another will hardly suffer at all, and in a few minutes will forget the whole. This depends on physical constitution.

In like manner, an educated man of refined feelings and habits, when condemned to penal labour, endures a punishment a thousand times more severe than the common thief, who undergoes a like sentence. It is true, the former has sinned against greater light and knowledge, but probably the latter has sinned much more frequently. In the one case, the first hour of prison dress inflicts more of mental agony than a lifetime of penal servitude in the other. The sentences are unequal to the criminals, though their criminality may be nearly equal: and it is difficult, if not impossible for lawgivers or judges to remedy the evil; but it is a suitable subject for prison arrangements, and sometimes for royal clemency.

It is manifestly of the greatest consequence in the

treatment of offenders to award suitable punishments; and there has been much blundering in apportioning the same punishment regularly to the same crime, without regard to the different circumstances of the offenders. In one sense, a crime is but an abstract idea, while the criminal is a living reality—it is wrong to have the former most in mind, and, in great measure, overlook the latter in pronouncing sentence. A man to whom crime is a profession, who is proved to live by it, even though never previously convicted, ought, for his own sake, as well as for the public interest, to be punished more severely for a slight offence than the man who, on a sudden temptation, has committed a more serious crime for the first time.

The idea of other criminals being deterred by the punishments, whatever they may be, which they see inflicted on those found guilty, seems to be almost unfounded. There may be exceptional cases, but, as a general rule, they care little or nothing about the matter. They think the man has been “unlucky,” and hope they themselves may be more fortunate. It is well known that many a pocket is picked at the foot of the gallows—a scene, one would think, calculated to deter from crime, if anything could do so which does not touch the criminal himself.

In adjusting punishments by law, it ought to be kept in view that it is of no use to attempt to repress even a very annoying crime by penalties, felt by an enlightened public to be too severe. This was amply proved by the endeavour so long made to check forgery by making it a capital crime. Public opinion and pri-

vate feeling alike condemned the practice ; and the result was, that men endured their own loss, and allowed the forger to remain unpunished, rather than by denouncing him be the means of sending him to the scaffold. When the offence ceased to be capital, prosecutions became much more frequent, and forgers could no longer calculate on the reluctance of parties to prosecute, or of juries to convict, or on the desperate exertions of friends and relatives to pay, and thus hush up the case.

The punishment of offenders by pecuniary penalties is often inconsiderately enforced by law, or injudiciously applied by magistrates. To fine a poor man is, in many cases, only to starve for a time his unoffending wife and little ones ; and it is one of the deplorable results of crime, that it is almost impossible to punish a married man, dependent on his daily work for his daily bread, without involving the suffering of others ; and the proper course in such cases is to endeavour to make the punishment of short duration, yet so distasteful as to be likely to deter. Instead of fining a working-man for being drunk and disorderly, it would be well to try the effect of two or three days of solitary confinement, with only bread and water to sustain him. He committed his crime from the love of drink and the love of society. This punishment would be in direct contradiction to his desires, and therefore calculated to deter him for the future. The very same treatment ought to be applied to the youth of higher rank who so far forgets himself as to get drunk and commit unprovoked assaults, whether on

the police or on unoffending passengers. To fine him does no good, he regards it as only the conclusion of his frolic. Send him for a very short time to prison, and give him a crank machine to work, and he will take good care not again to expose himself to such discipline. One or two such cases would arrest the career of thousands on the way to destruction.

The influence which drunkenness ought to be allowed to have in diminishing or aggravating the punishment of assaults and other crimes committed under its power, has been a matter of discussion from very ancient times. The right view of it was announced so long ago as by one of the seven sages of Greece, who declared that drunk men should be punished more severely than sober for their assaults.* But modern practice is too often inclined to take the opposite view, greatly to the injury of the public. The only sound mode of dealing with such cases is to treat the drunkenness as a separate offence; and, on due proof, to inflict one distinct punishment for it, and another for the additional crime connected with it—so that the offender may be made fully aware that he has committed two offences, both bringing punishment upon him, instead of one so palliated by the other as scarcely to be a crime at all deserving of punishment, which is the view so erroneously entertained by those who maintain that a man ought to be punished very slightly for an offence committed in a state of intoxication.

Vagrants are commonly punished by setting them

* Pittacus of Mitylene, as quoted by Aristotle de Republica, ii. 12.

to work, and it is a most suitable treatment; but there is another thing which they dislike even more than work, and that is cleanliness—and therefore this, too, ought to be carefully and thoroughly applied to them. It would do them good, morally and physically, and it would be more likely to deter than even work. Daily ablutions and a weekly bath could do no harm.

There is considerable general similarity betwixt the present administration of criminal law in Scotland and in England—the former being, on the whole, more prompt and more severe than the latter. There was long one very decided difference between them, in this, that in England a new crime could not be punished without a new law for the purpose, and an old criminal law never fell into disuse, it must be repealed; while in Scotland, a new crime, growing out of the altered circumstances of society, was held to be punishable at common law, without any special enactment, and old criminal laws, belonging to a former age and bygone habits, gradually ceased to be regarded as law, and, even if pleaded, were not enforced. In England, the criminal law depended almost exclusively on statutes; in Scotland much more was left to judges and juries, and, of course, the law was kept more nearly in conformity with present public opinion, while it was greatly exposed to be warped by local and temporary feelings. In the present day, the practice of both countries is the same as to all the more serious crimes, which have gradually been regulated by British statutes, but it varies considerably in the treatment of minor offences, the nurseries of the

greater, and the punishment of them is left too much to the discretion, or, it may be, the whim or the incompetence of an untrained magistracy. There ought to be fixed limits within which sentences may vary, but which they may not overpass on either hand.

CHAPTER VIII.

OUR PRESENT POSITION.

WE occupy at present a peculiar position as to criminals and criminal law. We are in a transition state; we have by degrees got rid of many bad and cruel laws and practices; we have come fairly to admit our responsibility in the matter as a nation, and we have apparently come to a hearty determination to discharge it; but we are not agreed as to the result of what has been accomplished, and still less as to what we ought to do for the future.

No one can now justly accuse our laws of cruelty, either in theory or in practice: some think they rather err in the opposite direction.

Our prisons are models of cleanliness and comfort. The most ingenious contrivances for heating and ventilating are in constant operation; and even the most delicate researches of modern chemistry have been called in to regulate the dietary on scientific principles, so that nothing requisite to the nourishment of every part of the human frame shall be amissing in the daily food; and still more effective provision, if possible, has been made for the manual, the mental, and the moral training of prisoners—by teaching trades, by secular

and by religious instruction ; while by separation, more or less perfect, contamination of one prisoner by another is nearly at an end.

All this could not be done at once in every prison; it was of necessity a gradual process ; but it has made unvarying rapid progress, especially for the last twenty or thirty years. One improvement was invented in one place, another in another ; local experiments were tried, and the results made known and tested, until the Legislature adapted and enforced them ; and the result is our present system, which, though regulated by different statutes, is nearly the same both in Scotland and England.

The improved system may be assumed to have been more or less in operation for about twenty years, and in that time at least three or four generations of criminals must have been subjected to its ameliorating influences; for it is understood that we have a fresh race of criminals every five or six years—that the lives they lead out of prison are such as thus immensely to reduce the average length of human life. But whatever may be the average period of a career of crime, how are we to explain the appalling fact that our criminals continue to be about as numerous as ever, notwithstanding all that is done for them; so that with all our advancement we have still to face very nearly the same numerical amount of crimes as in former years?

Let it be assumed that our present system is perfect, and that not one convict liberated from a Government prison ever returns to crime, but that every one of them is perfectly reformed—how comes it to pass, that

instead of getting rid of crime and criminals, we find them nearly as numerous, as troublesome, and as costly as ever? It is simply because there is a fresh crop continually coming forward to supply a fresh harvest to our prison granaries. If we are to avail ourselves to any good purpose of all the vantage-ground we have gained, it is to this growing crop we must mainly devote our care for the future. This is our present position. We can do little or nothing more for convicted criminals than we are now doing. What we have to do for the future is to *prevent* the existence of criminals, or at least to realise Lord Brougham's forcible expression, in a paper read at the Bristol Meeting of the National Reformatory Union: "There is nothing more certain than that first offences may, by proper treatment of the offenders, be also made last offences." *

Let us, to save trouble, also take it for granted that we know perfectly how to construct prisons, how to officer them, how to feed and clothe and train the unhappy inmates—but are we to rest content with this? are we to be satisfied with merely extending our accommodation as circumstances require, and having all our cells constantly full? Instead of increasing our prisons so as to be able to hold more prisoners, would it not be better to endeavour to reduce the number of our criminals so as to make our present prison accommodation far more than enough for our prison population?

If a youth be a criminal, it is doubtless better for himself and for the public that he be confined in a cell,

* Report, p. 55.

and subjected to ameliorating discipline, rather than be at large carrying on his profession; but it would be infinitely better that he were turned away from the paths of crime in earliest life and put in the way of well-doing, and it is to this work that our present position manifestly calls us. It is good to cure criminals; it is better far to prevent their ever becoming such.

To reform an evil is a very different thing from preventing it. To reform a criminal is not to prevent crime—it is a good thing in itself, but it is not the best. Prison discipline has, properly, only to do with those who have become criminals, it has to endeavour to reform them, and it requires to be maintained, on account of them, in all its present vigour and excellence; but the public ought now resolutely to take up the whole question of *prevention*.

In one aspect prevention is easier than cure, just as it is easier to bend to our mind the pliant twig than the stout sapling; the gnarled oak is beyond our power.

It cannot be too strongly pressed upon the public mind, that laws alone, however good and however justly executed, cannot accomplish the needed work. They may do much directly, by establishing what is right; and more indirectly, by repressing what is evil: but the great work of preventing crime must be done by *individual* energy setting itself unflinchingly to the attack of every shape and form of social evil, and persevering until there be no nook or corner left for them to occupy.

Crime, though often bold and defiant, is, neverthe-

less, at heart ashamed of itself, it shrinks instinctively from being seen. Nothing so effectually restrains the criminal, and makes him pause in his career, as the kind visit of a Christian friend. This principle is of very wide application; it sustains and encourages the city missionary and the district visitor. Thousands are now lying in the lowest depths of degradation, because no hand has ever been held out to help them up; and did they see but a little finger stretched towards them in love, how eagerly would they grasp it, how earnestly would they struggle by means of it to extricate themselves, and rise to a more worthy position!

The task which the country has now before it is arduous, and it requires the combined efforts of the Legislature, of the churches, and of individuals; singly, they cannot succeed, united they may, and with God's blessing must, so far at least as greatly to reduce the number of open professional offenders. A good commencement has been made; it remains only to improve and extend the various operations already in the field.

It will be prudent, before proceeding further, to endeavour to realise the extent of the work. Can we form any idea of the number of criminals, especially juveniles, now existing in the country? Every one has a general notion that there is a great deal of crime, and a great many criminals of one kind and another; but few have very distinct ideas on the subject, nor are there statistical tables in existence which fully set before us the gross number of habitual criminals to whom crime is a profession, nor the numbers dependent on the produce of their crimes for

daily support, and still less of the numbers not yet criminals who are verging towards crime, walking on the brink of the pit, and sure, humanly speaking, speedily to fall into it; and yet, until we make an approximation to this knowledge, we cannot fully appreciate the extent or the importance of the work, or, in other words, our present position.

The returns made to Parliament inform us of the number of persons of every description annually confined in all the prisons in Great Britain, their ages, and the number of times each has been committed, and by comparing the various tables we attain to a general and not incorrect idea of the extent of the actual criminal population.

The most reliable materials are contained in Colonel Jebb's annual reports on convict prisons and those of the inspectors of prisons of Great Britain; much valuable information is also to be gleaned from the local reports of prison governors and chaplains; and, with regard to the metropolis, its lower classes, and its prisons, singular details are furnished by Mr Mayhew, in his two remarkable publications, "London Labour" and "The Great World of London"—two works which are hitherto without parallel in the revelations which they make. The facts have been collected with much labour, and many of them are founded on official reports. No first work of the sort can be absolutely exact; but, making every allowance for partial misinformation, these volumes contain invaluable matter as to London crime and criminals, and as to those who are verging towards crime. But, while gratefully

accepting the *facts* collected by Mr Mayhew, there is no concurrence in many of the *opinions* expressed throughout the work.

What are the numbers, then, of the convicted criminals yearly undergoing the treatment of prison discipline in our various gaols? There are four distinct classes of prisons in London:—1. Convict prisons, for transports and penal service; 2. Correctional prisons, for short periods; 3. Detentional prisons, after committal and before trial; 4. Police cells, or lock-ups, previous to committal.

The numbers who *passed through* the London prisons of every kind, in 1854–55, amounted in all to 124,935; but of these, two-thirds are from the returns from the police cells. They were distributed among the various classes of prisons as follows:—

Convict prisons,	5,563
Correctional,	22,159
Detentional,	16,112
	<hr/>
	43,834
Police cells,	81,101
	<hr/>
Total,	124,935

These numbers may be assumed to be perfectly correct: but it is very difficult from them to ascertain the number of individual offenders—because one person may pass through all the four stages in one year, and be counted in each class; another may be more than once returned from the correctional prisons on short sentences; while another, and it may be the worst rogue of all, is often in the police cells, and yet, for want of proof, never goes beyond them.

If we take the convict and the correctional alone, they give us a total of 27,722 as the successive inhabitants of these two classes of prisons; and when it is considered that, from the comparative length of their imprisonments before and after trial, few of them can be committed twice in one year, this number will probably represent with tolerable accuracy the number of criminals in London—say, in round numbers, 28,000. It is also stated that 16,000 criminals are known to the police to be at all times engaged in their evil pursuits in London;* a large number, of course, are unknown to them. The number actually undergoing sentence on any one day in the London convict and correctional prisons is from 6000 to 7000, or one-fourth of the successive, shewing that they are subjected, on an average, to sentences of three months' imprisonment. Similar returns for the whole kingdom are furnished by the annual reports of inspectors of prisons.

The highest class of prisoners are those confined in the various convict prisons; their numbers in all the convict prisons of Great Britain, for the last five years, have been as follows:—

	1851.	1852.	1853.	1854.	1855.
On 1st January,	6,130	6,572	6,873	7,718	7,744
Admitted to 31st December,	2,903	2,953	2,354	2,378	2,799
	9,033	9,525	9,227	10,096	10,543
Transported, liberated, re- moved, or died,	2,548	2,658	1,467	2,322	4,006
Remaining on 31st December,	6,485	6,867	7,760	7,774	6,537

* Mayhew, p. 47.

If the returns of the criminal population of the whole country are examined, we find that in the last twenty-one years the number of committals has increased, and that in a higher ratio than the increase of the population. In the year 1835, the commitments were 20,731; and in 1854, they were 29,359, an addition of nearly thirty per cent.

There are fluctuations in crime for which it is difficult to account—thus, of the last twenty-one years, the most criminal was 1842, when the commitments rose to 31,309; and in 1845 they fell to 24,303; for the years 1851–52–53 they stood betwixt 27,000 and 28,000; in 1854 rose to 29,359; and in 1855 fell to 25,972—a diminution which must probably be, at least in part, attributed to the recent alteration of the law, by which offences are now disposed of summarily which formerly went to trial at sessions or assizes.

In order to give an average view of crime, Mr Redgreave has divided those twenty-one years into three periods, of seven each, and the result is:—

Years.	Total.	Average.
1835-41	167,811	23,973
1842-48	196,034	28,004
1849-55	192,487	27,498

Mr Mayhew gives another aspect of English criminality,* in a table shewing the convictions, both summary and at sessions and assizes, from 1841 to 1850. The result is, that the average mean numbers are :—

* Great World of London, p. 457.

Convicted summarily, . . .	Males,	56,055	
	Females,	17,201	
		<hr/>	73,256
Do. at sessions and assizes, . . .	Males,	22,439	
	Females,	5,299	
		<hr/>	27,738
	Total, . . .		<hr/> 100,994

To this must be added the number of criminals convicted in Scotland, which, in 1854, was . . . 3,994

Making a total, for Great Britain, of . . . 104,988

The numbers given by Captain Williams in his Fifteenth Report,* for the eight years 1842-49, are nearly the same, viz. :—

Summary,	73,582
Assizes and sessions,	28,101
	<hr/>
Total,	101,683

The numbers for the year 1853† are somewhat less, viz. :—

Summary,	74,534
Sessions and assizes,	22,008
	<hr/>
Total,	96,542

If the same calculation be applied as in London, and it be assumed that the total number of criminals in a year is very nearly the same with the number of convictions, then the number of actual criminals in the country is about 105,000 ; that represents the number which we at present allow to support themselves at the public cost, either in prison or out of it ; and the great object in view is, how to reduce this number for the future as much as man can do. Other calculations

* Page xx.

† Nineteenth Report, p. 240-41.

make the total number 150,000, and suppose 20,000 to be always in prison, leaving 130,000 at large and at work.

Allowing to each criminal a career of five or six years, there must be an annual supply of 20,000 to 25,000 young criminals coming forward to keep up, without increasing, this formidable array; and it is to *them* that our endeavours must henceforward be principally directed. Two distinct considerations may well rouse us to the work. When we think of the moral degradation and misery of the life of a criminal, love of our neighbour should prompt to exertion: and if this be wanting, mere selfishness, the simple love of our own peace and comfort, ought to be sufficient; for it is very clear that so numerous a body of criminals, steadily pursuing their vocations, and thereby maintaining themselves, must inflict no small amount of suffering on the community.

Many persons are ready to put away the subject as not personally interested in it; if urchins will steal, let them be punished, and no more about it. This is truly ostrich policy. Society may shut its eyes, and try to forget criminals, but they will not cease to pursue and torment society so long as they exist.

Suppose the number of 105,000 to be correct, and that each of them has, on an average, at least two persons dependent on him for support, this gives us 315,000 dependent on the proceeds of crime for daily bread.

What tax do the 105,000 levy on the country? It has been calculated that £25 a-year is the lowest sum

on which a frugal working couple, with one or two children, can maintain themselves; but it is well known that the habits of our thieves are not frugal, but most extravagant. Allow that each levies on the public only £50 a-year, then their annual plunder amounts to £5,250,000. This is an alarming sum, but it is probably far within the mark; it is nearly equal to a poll tax of four shillings a-year on each man, woman, and child in Great Britain.

Many professional thieves realise handsome incomes. Mr Clay, in his Preston report for 1850, gives distinct cases of individuals earning their £300, £400, and £500 a-year regularly, for a series of years. One man made £400 a-year for twenty years, in all, £8000; and one woman, for two and a-half years, made £620 a-year, or £1550 in all.

The enormous loss to the country by crime has been brought out in another form. About ten years ago a committee was named by the inhabitants of Liverpool to inquire as to the annual amount of depredations in that city, and they reported it to be the astounding sum of £700,000.* Reckoning the inhabitants of Liverpool, in round numbers, at 350,000, this is equal to an annual poll tax of £2 for each inhabitant. It is understood that crime in Liverpool is not much greater than in other large towns, such as Bristol, Manchester, or Glasgow, and the above statement has no reference to the number of criminals, but only to the money-value of their plunder.

It has been stated that the number of criminals in

* First Birmingham Conference, p. 56.

Liverpool is about 5000, and if so, this immense sum would only yield £140 to each, far below the earnings of Mr Clay's prisoners just noticed. It is truly wonderful how insensible the public often is to its own interests!

The number of criminals may be also considered in proportion to the rest of the population. If 28,000 be taken as the total of London criminals, it gives one rogue to every eighty honest persons; or if we take the 16,000 reported by the police as living on crime, it gives one to each one hundred and forty. The 105,000 dispersed over the rest of Britain, gives one criminal to each two hundred and ten inhabitants.

But for the present object, the most important returns are those of the ages and the first commitments. The old and habitual criminals must be left to be meliorated, if possible, by prison discipline. The young and the incipient criminals are the hopeful classes, and to them public exertion must be strenuously directed.

It is to be regretted that the ages employed in the official returns do not correspond with the age of sixteen, fixed by Lord Palmerston's Act as denoting a juvenile. In using the numbers from the returns, those of one year beyond the age at which they can have the benefit of 17 and 18 Vict., cap. 86, are included, and, though not of much importance, it would be desirable to bring the returns into conformity with the Act. The following are the numbers and ages as given in the Nineteenth Report of Inspector of Home District, 1856:—

Years.	Under 12.	12 to 14.	14 to 17.
Session and Assizes, 1847,	330	757	2697
... 1848,	148	397	2511
... 1849,	139	357	2208
... 1850,	149	353	1948
... 1851,	125	359	1839
... 1852,	108	339	1775
... 1853,	131	289	1685

Years.	Under 12.	12 to 14.	14 to 17.
Summary Convictions, 1847,	944	1614	5732
... 1848,	1399	2637	6705
... 1849,	1292	2555	6402
... 1850,	1124	2256	5446
... 1851,	1262	2363	6344
... 1852,	1206	2350	6043
... 1853,	1365	2212	5771

These tables shew a large decrease of assize and session convictions of juveniles, and a corresponding increase of summary, caused by alterations of the law, but not affecting the total number of offenders so much as the mode of bringing them to trial.

For the thirteen years, from 1841 to 1853, the annual mean has been as follows :—

	Under 12.	12 to 14.	14 to 17.
Assize & Sessions	219	537	2163
Summary, ...	1042	1970	5803
Total, ...	1261	2507	7971

Adding them together, there results a mean annual total of 11,739 convicted under seventeen.

The number of juveniles passing through the prisons of London alone is as follows :—

Correctional prisons,	2614
Detentional,	508
Convict,	374
	<hr/>
	3496

Mr Mayhew draws attention to the fact, that the proportion of juvenile criminals in London is nearly *double* that in the rest of the kingdom. The number of persons in England and Wales under 17 is 7,056,699, and the number of criminals under that age, 11,739, give 166 criminals in every 10,000 of the population; but in London the persons under 17 number 839,057, and the criminals under 17 are 3496, which is equal to 416 in each 10,000, or more than two and a-half times as many as in the whole country.*

There seem to be no returns to shew the number of juveniles *committed* for the first time, but by deducting the recommittals from the total committals, we ought to learn the total number of first imprisonments. By the tables for 1853,† it appears that the total commitments for the year were 132,069; the known recommitments were 33,565; which would leave 98,504 as first committals. These numbers represent prison population, not individual prisoners; but reduce it as we may, it shews a very fearful number of persons, including adults as well as juveniles, who enter on a life of crime each year.

Another view of our criminal population is obtained by Mr Mayhew, by dividing criminals into habitual and casual.‡

* Great World of London, p. 379.

† Nineteenth Report of Inspector for Home District, p. 240.

‡ P. 441, &c.

The total ratio of all criminals to the population being 15·5 to every 10,000, Mr Mayhew shews from the Government returns that 12·8 are offenders against property, and of these 11·5 are committed by habitual, and 1·3 by casual offenders, while the remaining 2·7 are offences of violence. The offences against property form about four-fifths of our whole crime.

The next subject of inquiry, in order to realise our present position, ought to be the manner in which these offenders are treated and what sort of punishments are inflicted upon them; for these bear directly on their present state, and on the hope of being able to do them good.

From the last published Report of Inspectors (XIX.), it appears that the punishment of *imprisonment* was applied as follows, in 1853:—

SENTENCES OF IMPRISONMENT PRONOUNCED AT SESSIONS AND ASSIZES.

	Under 14 days.	Under 1 month.	Under 2 months.	Under 3 months.	Under 6 months.
Adult, ...	439	922	2017	1712	3952
Juvenile, ...	117	125	203	156	367
Total, ...	556	1047	2220	1868	4319

	Under 1 year.	Under 2 years.	Under 3 years.	Above 3 years.	Unlimited Term.
Adult, ...	3628	2019	176	26	55
Juvenile, ...	360	125	27	6	—
Total, ...	3988	2144	203	32	55

Besides these, 1279 were transferred to other prisons, and 61 whipped, fined, or discharged on security; and

in the same year there were 2338 adults and 188 juveniles sentenced to transportation.

The imprisonments under summary convictions were as follows :—

	Under 14 days.	Under 1 month.	Under 2 months.	Under 3 months.	Under 6 months.
Adult, ...	15,902	18,666	16,114	6,156	5,204
Juvenile, ...	2,424	2,690	2,155	1,052	926
	18,326	21,356	18,269	7,208	6,130

	Under 1 year.	Under 2 years.	Under 3 years.	Unlimited Term.
Adult, ...	743	127	7	315
Juvenile, ...	16	—	—	2
	759	127	7	317

By adding these together we find the total of sentences of imprisonment for 1853 to be

	Under 14 days.	Under 1 month.	Under 2 months.	Under 3 months.	Under 6 months.
Sessions and Assizes, ...	556	1,047	2,220	1,868	4,319
Summary, ...	18,326	21,356	18,269	7,208	6,130
	18,882	22,403	20,489	9,076	10,449

	Under 1 year.	Under 2 years.	Under 3 years.	Above 3 years.	Unlimited Term.
Sessions and Assize, ...	3,988	2,144	203	32	55
Summary, ...	759	127	7	—	317
	4,747	2,271	210	32	372

This table gives a total of sentences of imprisonment passed in 1853 (for all periods) of 88,931; and of these

no less than 81,299 were less than six months; 70,850 were under three months; and 61,774 under two months; 41,885 were under one month; and 18,882 were under fourteen days.

The number of juveniles, *i.e.* under 17, imprisoned during the year is as follows:—

	Under 14 days.	Under 1 month.	Under 2 months.	Under 3 months.	Under 6 months.
Sessions and Assizes, ...	117	125	203	156	367
Summary, ...	2424	2690	2155	1052	926
	2541	2815	2358	1208	1293

	Under 1 year.	Under 2 years.	Under 3 years.	Above 3 years.	Unlimited Term.
Sessions and Assizes, ...	918	125	27	6	—
Summary, ..	16	—	—	—	2
	934	125	27	6	2

This gives a total of 14,507 juveniles sentenced to imprisonments of various durations, and of these 13,413 for less than six months; 12,120 under three months; 9514 under two months; 5356 under one month; and 2541 under a fortnight. The country has thus ample experience of the effects of short sentences; they are, and have long been, most extensively used; and were they calculated either to deter or to reform, beneficial results must ere now have appeared.

There seems to have been an idea long prevalent in the public mind, especially among judges and magistrates, that there was some *witchery* in imprisonment,

which made it a sovereign remedy for every crime, without any other appliance, and hence the multitudes of short imprisonments. Experience now *proves* that mere imprisonment, so far from deterring or curing, only hardens and confirms in a career of crime; and hence the modern proverbial expression, so true of thousands of our first committed, "Once in prison, always in prison;" or, to quote Lord Brougham's opinion on the point, "Short imprisonments are utterly useless."

But the number of criminals convicted, or even apprehended, gives a very inadequate idea of the extent of our criminal population. A large number of offenders contrive to escape conviction, sometimes even suspicion, for a long term of years, and many a crime is committed for one detection. Lord Brougham, in the able paper just quoted, says, "When it is considered how many offences a thief must commit to earn his daily bread, it becomes quite evident that absolute impunity is the rule, and detection only the rare, and is even the accidental exception."†

Mr Mayhew has inquired carefully into this subject, and part of his information is sufficient to startle the most callous:—"A thief's life," they themselves say, "consists generally of four months in prison and six out; and during this period, the mobsmen calculate that they commit six robberies a-day, or, on an average, fifty a-week. Hence it would appear that not less than a thousand robberies must be committed by each regular hand to one detection."‡

* Bristol Report, p. 60.

† Bristol Report, pp. 53, 54.

‡ P. 439.

Of course, it is very clear that this career must be that of a practised hand, and not of a novice, and also that many of the robberies must be of very trifling amount; but still the loss and the annoyance to the public are immense. If a *few hundreds* only be thus daily employed in London, they must inflict serious injury on the wealth of the metropolis, and unfortunately it falls very largely upon those least able to bear it, and who rather submit to their loss than incur the expense and risk of prosecuting.

There is yet one more aspect under which criminals must be viewed, and that is their educational state.

In the same Nineteenth Report,* so often quoted, their education is classified as follows :—

TRIED AT ASSIZES AND SESSIONS.

	Can neither read nor write.	Can read only.	Read or write, or both imperfectly.	Read and write well.	Superior education.	State of education not ascertained.
Adults,	7485	5695	9367	1695	111	76
Juveniles,	771	580	692	62		
Total,	8256	6275	10,059	1757	111	76

SUMMARY CONVICTIONS.

	Can neither read nor write.	Can read only.	Read or write, or both imperfectly.	Read and write well.	Of superior education.	State of instruction not ascertained.
Adults,	22,035	12,617	25,344	1997	55	184
Juveniles,	4,342	1,953	2,885	134	1	33
Total,	26,377	14,570	28,229	2131	56	217

* P. 242.

This is a most deplorable table. Of 98,484 prisoners, it appears that only 167 were of superior education, and only 4158 could read and write well; while 93,766 either could not read or write at all, or only very imperfectly, which means to no useful purpose.

The juveniles reported are 11,420, and of them it appears that 5113, or about one-half, could neither read nor write, 2533 could read only, and 3577 could read and write imperfectly; in other words, 5113 had not received the first elements of education, 6110 had received no education which left permanent useful results; and thus 11,223 were in truth uneducated, while 196 could read and write well, and ONE only had received the advantages of superior education.

No additional facts are required to shew the educational state of our criminals, and no arguments are necessary to point out the close connexion betwixt ignorance and crime. These results, startling as they are, cannot surprise those who have attended to the educational returns of the census of 1851. Mr Horace Mann brought out the fact, that one million of children, in England and Wales, were not at school, who ought to have been there; and also the fact that 708 teachers signed their returns, not with their *names*, but with marks!* This proves two things: that about one-third of the children in Britain from five to twelve years of age are not at school; and that one-twentieth of those who profess to teach, stand self-convicted of utter incapacity.

* Official Report on Education, 1854, p. 26-29.

These various facts, when combined, give at least some idea of our present position as to criminals, both adult and juvenile, and they shew in some measure the extent, the importance, and the nature of the work we have to undertake.

CHAPTER IX.

WHENCE COME THE JUVENILE DELINQUENTS?

WHAT are the great sources from whence juvenile delinquents come? It is not difficult to point out several which afford a ceaseless supply. In general terms, they may be described as the neglected juveniles for whom no one cares, and who are left to make their way in the world as best they can. How strange that such a class should exist, and be numbered by tens of thousands, in our highly-favoured country, and in the face of training and teaching institutions of every grade, endowed with almost boundless resources for good, were they only efficiently applied. We have hospitals for the sick—we have cheap or free schools for the indigent—we have poor-laws and poor-houses for the absolutely destitute, whether old or young, and still we have a large class whom none of these institutions seem to reach, and whose very existence is little known save to the industrial and ragged school teacher, the city missionary, or the policeman.

The children of avowed criminals form one numerous and obvious class preparing to fill our prison cells. Their parents are not generally paupers, and they rarely apply for parochial relief, for they shrink in-

(1)

✱

instinctively from the questions of boards and officials. Many of them can afford to spend largely from their dishonest gains in riotous living and debasing indulgences. As a class, they either deliberately train up their offspring to follow their own footsteps, or they cast them off altogether, and leave them to grow up or to die as they may, for they are "without natural affection." How can an habitual thief train up his child in honest habits? He can give him no virtuous lessons; and even if, with strange inconsistency, he endeavoured to do so, what effect would his teaching have? The daily example of dishonesty and crime would overpower all the best moral instructions which could be conveyed in words. A little child rarely regards as wrong what he sees his parents habitually do; and this at once explains what has been considered as a modern discovery, that crime is, to a considerable extent, hereditary, that it runs in certain families, and that we can trace two or three or four generations successive inmates of the same prison cells, as if they were their patrimonial inheritance. In such families the habit of thieving seems to run as strongly as a constitutional taint of body in others, and it is a hard task to try to eradicate it, for it is formed by an accumulation of daily sinful example, acting upon the originally corrupted heart of man, and thus aggravating its every evil propensity. The wicked principles in the heart of a child, which are thus fostered and strengthened during the first few years of life, can be changed by no human power: nothing less than the grace of God working on the heart, by the

appointed instrumentality of religious teaching, can accomplish the work. No mere human appliances are of any avail, and as *men* we must abandon the attempt in despair ; but as *Christians* we can neither doubt the power of God's Spirit to effect it, nor the certainty of the fulfilment of His promised blessing on every Christian endeavour to train up children in the nurture and admonition of the Lord. This, and this only, can eradicate the hereditary taint, strong alike from nature, from precept, and from example ; every other cure is nothing better than a fashionable quack medicine, it may cause a temporary, apparent, superficial amelioration, but leaves the root of the evil untouched, while this is a specific and unfailing remedy, operating at once on the whole evil, root and branch.

The children of vagrants, of persons who are not always criminal themselves, or at least not professedly, many of whom indeed follow the semblance of industrial occupation, while they move from place to place, form another class of incipient criminals. It is impossible for them to train up their offspring aright ; the very life of vagabondage renders it impossible, and in many cases the industrial trade is but a cloak to hide the real pursuit of petty thieving. To this the children are too often trained from infancy, and speedily become adepts in it, while their roving habits make it specially difficult to reduce them, by any teaching and training, to persevering industry. No mischievous early training seems more difficult of cure.

The two classes of children now mentioned have no habits of industry cherished, no regular employment

taught, no lessons of religion or morality enforced, either by precept or example, and no attempt to implant in their hearts the fear of God or the love of man. In all probability, the only two practical lessons given are, to deceive by a piteous tale, so as to extract an alms from inconsiderate pity, or to pick up any trifling property within their reach.

- (3) Another supply comes from a source which ought to furnish none—the workhouse schools. This is a delicate subject of discussion. These schools are built and maintained at great cost, for the benefit of the poor, and many of them are more or less under the control of some of the best men in the country, anxious to do their duty as guardians of the poor. Can it be said with truth that any criminals come from this source? The testimony of a most competent witness, the Rev. J. S. Brewer, chaplain for many years to St Giles' Workhouse, London, answers the question in very clear terms:—"Turn to the police reports in our newspapers, or only watch for yourselves the boys and girls who join in the disorders of this metropolis, and fill our prisons—no longer prisons to them—and you will see how imperative it is that something should be done to rescue them. THEY ARE MAINLY THE PRODUCE OF THE WORKHOUSE AND THE WORKHOUSE SCHOOLS. Over them society has no hold, because society has cast them out from all that is humane. They have been taught to feel that they have nothing in common with their fellow-men. Their experience is not of a home, or of parents, but of a

workhouse and a governor—of a prison and a gaoler, as hard and rigid as either.”*

The evil lies partly in the management, but essentially in the principle on which such schools must of necessity be conducted; and it is the very same which greatly pervades the celebrated hospitals so profusely endowed in Scotland, and especially in Edinburgh. The erroneous principle is very obvious. The inmates of these schools, born in the lower ranks, and destined to support themselves by energetic labour, are there placed in circumstances only calculated to benumb their energies, and unfit them for active industry. Their every want is supplied, without a care or an exertion on their part; food, clothing, and lodging come to them they know not how nor whence; and that which is the mainspring of energy is withheld, the practical experience, that by industry comfort is procured, by idleness it is lost. The training of a poorhouse school, even where best managed, necessarily unfits for the battle of life; and though there may be abundance of excellent teaching, there is and can be no educating for the active business of the world.

If badly managed, if the office of teacher be entrusted to incompetent hands, the evil consequences are greatly aggravated. A case has been known where forty or fifty children, in a poorhouse school, had as their only teacher an infirm old man, worn out in body and mind, himself an inmate of the house, and a *returned convict*. It was doubtless grand economy to

* “Practical Lectures to Ladies,” 3d edition, p. 303.

save a teacher's salary; and what mattered it how the miserable children were brought up?

(4) Another and a numerous class is composed of illegitimate children, deserted or neglected by heartless parents. With the low standard of feeling as to female purity, so disgraceful to our age, in certain classes of society, this evil is wellnigh incurable while both law and practice remain as they are; and it is one of the matters in which the best laws are weak, unless they have the full sanction and support of public feeling. It may be well questioned whether the operation of the present Bastardy and Poor Laws together have not a strong tendency to encourage, rather than to repress immorality.

The radical cause is the want of religious principle; but it is much aggravated by the very artificial and costly standards set up as necessary for comfort and respectability in married life, in every rank of society, by which early marriages are rendered impossible; and yet they are the remedy appointed by God himself for the evil.* In this matter, the morality of Ireland contrasts very favourably with that of England or of Scotland. This is one of the evils which press downwards in society; its results are not very conspicuous in the higher ranks; they are more visible in the middle; and they come out in all their revolting horrors in the lower and lowest.

The sources now enumerated are sufficient to account for a large portion of the supply of juvenile criminals, who every year come forward to fill our

* 1 Corinthians vii. 2.

gaols. It is sad enough to think of the multitude of adults yearly incarcerated; but it is far more melancholy to think of the number of children constantly preparing for a life of crime. These children ought to be objects of the deepest sympathy and most active exertion. They are placed, by the *neglects* of society, and by no fault of their own, in the most disadvantageous circumstances. Everything connected with them conspires to force them into a life of crime, and to shut against them every door of entrance into a course of self-supporting honesty.

The end of outcast juveniles is, humanly speaking, and unless mercy arrest them, absolutely certain; the conclusion follows as surely from the circumstances, as that of a logical syllogism from its premises, or a mathematical proposition from its data. When first discovered, they may not be old enough or bold enough to commit punishable offences; but let them alone, do nothing for them, and, as matters now are, what can they do but commit crimes against property? They become the *criminal* class, but who are the culpable? Society has been active enough in demanding punishment for them, and it has done comparatively little good thereby, either to the criminals or to itself; it is high time to try if a better mode of treatment cannot be devised. The public complains loudly of the annoyance of criminal children; it would be more just to complain of its own past and present neglects, and to demand that in future no British child shall be allowed to grow up with such miserable prospects, both for this world and the next; and that

when parents cannot or will not do their duty, society, either by action as the State, or by private exertion, shall interfere and supply their place as best may be done, without waiting to calculate too curiously the cost to be incurred, or to settle by what particular party or board it is to be defrayed.

NR* The object here is not to save money, but to save the child. Happily, however, it is true economy to save the child. Viewed in the light of mere worldly advantage, a few children rescued from a long career of degradation and plunder amply repay a large expenditure—viewed in the light of eternity, no money cost can be counted too great to save even one never-dying soul from perdition; and to this glorious end does God often and largely bless the judicious expenditure of earthly means.

* It is only of late years that attention has been paid to the numbers of juvenile outcasts. They were, it may be said, first brought to public view by the exertions of city missionaries, and the founders of industrial and ragged schools, and specially by the devotion with which Lord Shaftesbury threw himself into the cause of our neglected ones. Mr Mayhew, in his "London Labour," gives the most graphic description of various and numerous classes who support themselves by a sort of industry, but whose modes of life are such as to preclude the possibility of their children being brought up by them in the way of righteousness and peace. They are from earliest infancy apprenticed, as it were, to the study of the profession by which they are to support themselves during life, at

the cost of their neighbours; for they see examples of it everywhere around them, they see little or nothing to improve them, and they have nothing else to do all day long, and thus they grow up objects of universal suspicion and dread. It seems tolerably certain that in London they amount to about 30,000 under sixteen years of age, and also that the proportion is not very much less in other large towns of Britain.

If we reckon the population of London at 2,700,000, then we have one in ninety of our proud metropolis in this degraded position; and if we apply the calculation to the population of Britain, we shall have presented to us the alarming spectacle of 240,000 juveniles preparing either for a life of crime or an early grave. Probably in some of the large manufacturing and seaport towns, such as Manchester, Birmingham, Glasgow, or Bristol, the proportional numbers are quite as high as in London, while in purely rural districts they are much lower. In towns of the second size, such as Bath, Gloucester, Dundee, or Aberdeen, they will be found to vary from one in a hundred to one in two hundred of the population. In rural parishes, the absolutely neglected outcasts are comparatively few; but their place is supplied by a large number of half-neglected, of those who are somewhat cared for, but not so as to put them fairly in the way of supporting themselves by honest industry.

There can be no statistical tables applicable to them, the case does not admit of it; but any one may

easily test in his own neighbourhood the existence of the class now alluded to. It is marvellous how little most men know of the condition of their next-door neighbours, either in town or country.

In country parishes they are not at first so conspicuous, but they will easily be detected in the persons of those unfortunate urchins who are so much employed, for a great part of the year, at all manner of *idle work*, that is, work which gives no sort of profitable training to the child. It may be of use, or at least convenient, to others, but it is worse than useless to the child who does it. Thus, in some districts, many children spend their days watching by gates, in the hope of earning a few pence from casual travellers, for whom they open them; others, at certain seasons, are employed all day long in protecting growing crops from the attacks of birds—a work they rarely accomplish to much purpose, and in which they often destroy more than they save.

Now, granting that these works in themselves are necessary and must be done, surely the public pays too high a price for them, when they are performed at the cost of the whole training of the children thus employed.

Many other rural works of a similar kind might easily be named, which, by a little arrangement and forethought, could be accomplished in a different manner. These things cannot wholly be remedied by Acts of Parliament, but they are legitimate fields for the active, constant interference of country clergymen and landed proprietors.

It is from this class of children, trained up to be *busy about nothing*, sitting half-asleep by the wayside till roused by the sound of approaching wheels, or thrown into profound sleep by the heat of the sun while the crows and sparrows are feasting on the seeds, and wakened only by the loud reproaches of the angry farmer,—and well for them if his displeasure do not vent itself in something more impressive than words,—it is from this class, and in this manner, that many of our country juvenile offenders are reared. Can there possibly be a worse training for a child? Can such work educate him to any useful purpose? On the contrary, it teaches habits of listlessness and laziness, and that, too, under the guise of pretended industry. The only feature in it which can save it from utter condemnation is, that there is a small money payment; but surely it is far too dearly earned.

The same evil prevails in many parts of Scotland, in the form of hiring children of very tender years to prevent cattle from straying upon a neighbour's ground. These are probably the worst treated and most neglected portion of our agricultural population; and it is a very fortunate circumstance that the progress of improvements, especially in fencing arable land, is rapidly dispensing with such services. These children are probably at school for a few months in winter for two or three years; but what good do they derive? The lessons of the school cannot survive the long vacation; and if, in the few school months or weeks, some brief habits of application have been

acquired, they are effectually unlearned by the succeeding months of listless idleness.

The remedy for all this is very obvious; a few hours of the day might, without much harm, perhaps with good effect, be devoted to these employments; but the greater and better part of every child's time and energy must be given to the needed teaching and training, otherwise no good permanent result can be expected. Some such measure as that lately introduced into the House of Peers by Lord Kinnaird is absolutely required, and the sooner it passes into a law the better will it be for thousands of the children of our poorest classes.

There is a very remarkable contrast in the manner in which the same acts are treated in the case of cherished and in that of neglected juveniles; and the results throw no small light on the manner in which the one class grows up to be the useful and the honoured members of society, while the other becomes its reproach and its torment. At public schools, youths of the higher ranks are guilty of pranks, which, if committed by boys of the same age but in a lower rank, would have a very different name, and conduct them at once to the police-cell and the prison; at least such things were, and doubtless even now are not unknown. Many a grave senator can well remember knowing, if not actually assisting, such proceedings. A successful foray in a neighbouring orchard, or well-preserved fish-pond, or even a hen-roost, is not always stigmatised as theft in the code of morality of a public school; it is only a capital lark—a famous bit of fun—

long handed down to succeeding races of school-boys, among the glorious traditions of the school, as an example highly worthy of imitation.

It is true, though the act in itself be precisely the same, the motives are not exactly those of the vulgar thief—there is a certain amount of the desire to acquire another's property without making just compensation for it, and there is a total want of regard to the laws of property; but the principal element is the boyish love of fun and mischief—and this is admitted as an ample excuse (not very wisely) by the culprits and their comrades. The whole affair is carefully concealed from the masters; and if, in spite of a profuse application of pocket-money, it become known, it is dealt with, not so much as an offence against the laws of God and man, but as a breach of the laws of the school; no one proposes to call the police, and send the culprits to prison, and have the felon brand stamped upon them for life. It is presumed, and most properly, that on account of their youth they have erred through want of proper training; and they are accordingly managed as erring children—to be reclaimed; but not crushed.* How different the treatment of the young patrician and the young out-

* It has been lately stated, at a public meeting in London, that when Lord Chancellor Eldon was a boy at school, he was caught robbing an orchard. His father was prosecuted, and had to pay full compensation, and very wisely administered a sound flogging to the culprit—thereby doubtless laying the foundation of his son's future eminence as a lawyer and a statesman. Had little John Scott been himself prosecuted, and convicted, and recorded as a thief for life, how could he ever have become Lord High Chancellor of England?

cast, and how different the results ! And are we not entitled to assert, that if men treat the young patriot as harshly as they treat the young outcast, they will almost infallibly ruin him ; and if they treat the young outcast as considerately as they do the young noble, they will in all probability save him. Not that they are to apply to him the same details of education ; he does not require Greek and mathematics—but it is plain duty to apply to the one and to the other the same principles of well-regulated discipline and kindness, and to seek to win them both from the paths of youthful sin and folly to the ways of wisdom and happiness.*

One other source of juvenile criminals deserves to be noticed,—the children of persons who have migrated from their native homes to seek employment in our large towns, and especially of immigrants from the sister island. If they fail in procuring remunerative work, they are placed in miserable circumstances, for they have removed themselves from all the kindly assistance of friends and acquaintances, and placed themselves where no one knows or cares for them, and where the chief feeling towards them is to regard them as unwelcome interlopers, reducing the rate of wages, and therefore receiving no sympathy from their equals.

Mr Mayhew goes so far as to state, “ that, as a body, the habitual criminals of London are said to be, in nine cases out of ten, ‘ Irish cocknies,’ that is, per-

* This matter is well and forcibly brought out in a few lines by Mr Mayhew, in his “ World of London,” p. 408.

sons born of Irish parents in the metropolis.”* And in another place he remarks, “This shews, we believe, not that the Irish are naturally more criminal than our own race, but simply that they are poorer, and that their children are consequently left to shift for themselves, and sent out to beg more frequently than with our people.”† A similar class is well known in Liverpool, and also in Glasgow. One of the Pentonville warders told Mr Mayhew:—“The Glasgow boys in the prison are perhaps the worst class of all; I can hardly say what is the reason of their being so bad. I don’t think it is the lax discipline of the Glasgow prison; but the race, you see, is half Scotch, half Irish, and *that is a very bad mixture* to my mind.”‡

This subject deserves careful attention. We have had for some years Emigration Commissioners to protect those leaving the country. It might be well to have also Immigration Commissioners to look after those who land on our shores, both for their sakes and for our own.

Other sources might be named, but these are the principal; and much legislative and individual Christian energy must be long at work before they be so effectually and permanently dried up as no longer to pollute our land.

* Great World of London, p. 165. † Ib., p. 386. ‡ Ib., p. 136.

CHAPTER X.

HISTORY OF THE ABERDEEN INDUSTRIAL FEEDING
SCHOOLS.*

HAVING made a rapid sketch of the past history of criminal law and prison discipline, of the habits and practices which foster crime, of the number of our criminals, and of our present position in regard to them, and the plans in operation for their reform, touching only, in so brief an outline, on the more salient features of each subject, the field ought now to be in some measure prepared for the consideration of the important question—What course is to be pursued by the Legislature and the public in order effectually and permanently to reduce the number of criminals?

It is now sufficiently apparent that the former system, of punishment alone, totally failed; and it is not much less so that the modern system of teaching and training the convicted, though often blessed to the reformation of individuals, is having little or no effect in reducing the number of the young who annually enter on the career of iniquity.

* The substance of this chapter will be found in the author's "Social Evils, their Causes and their Cure," chapter iv. The details are brought down to the present day.

If the country be truly resolved to diminish crime, it must devote its earnest care to the hitherto neglected youth of the poorer classes. Everything that Christian kindness and wisdom can suggest has been tried with adults, and with but uncertain results; while with the young only a commencement has been made—most of the work remains to be done. *

Happily for the country, it is more easy to prevent than to eradicate criminal habits; and there is good cause to rejoice that there is already well-tryed experience to shew how the work can be performed. *

Neglected outcasts need food, clothing, teaching, and training, and, in certain cases, lodging also; and, above all, they want steady, judicious kindness: and the problem is, how can these be furnished to them, without thereby encouraging wicked parents to neglect their own natural responsibilities, and throw the burden of discharging them upon the public?


So far as the neglected child is concerned, this question ought not for a moment to be entertained. Sound policy and true economy alike demand that he be not neglected; but betwixt the parents and the public the question is of great moment, and deserves to be jealously watched, for nothing could be more injurious to society than to sanction a system which tended to encourage the neglect of parental duty by any class of society; because on its due discharge by one and all depends our social wellbeing.

The problem has been tried and tested by the modern plan of industrial feeding schools, and the results have been most satisfactory—wholly surpass- * H

ing the most sanguine hopes of their founders—not, indeed, accomplishing the impossibility of eradicating crime from human nature, but proving the facility with which it may be immensely reduced, and brought within manageable bounds.

Benevolent persons, in various parts of the kingdom, made isolated attempts, like good John Pounds of Portsmouth, to meet the evil; and in their day, and in their locality, they did much good; but these attempts not being made on fixed and avowed principles, and receiving no public countenance, they expired with their respective founders, leaving only behind them an indefinite remembrance of a valuable institution which once existed, but had passed away.

The case, however, has been widely different with the industrial feeding schools. They were established on certain clearly defined principles, for a determinate purpose, and with the full resolution that they should be permanent institutions, if only the means of maintaining them could be procured.



The country is indebted for them to Sheriff Watson of Aberdeen, whose name is indissolubly associated with the cause of industrial schools, and who has made even the name of the city of his residence celebrated throughout the kingdom in connexion with them, as the Aberdeen schools. Doubtless the same idea had often floated through other minds, but with him it assumed clear form and permanence. His position as Sheriff-Substitute of the county of Aberdeen brought him into constant contact with crime of every degree—the Scotch office of sheriff being some-

what similar to that of recorder in England. His attention was early and painfully drawn to the multitudes of children brought before him guilty of petty offences, and for whom he could do nothing but pronounce over and over again the customary sentence of short imprisonment. Sick at heart of this miserable and profitless work, he gradually worked out his idea of preventing, instead of punishing their crimes. When he had well matured his plans, and fixed his principles of action, he obtained the pecuniary and personal aid of a very few zealous friends, who entered cordially into his proposals.

The first school was opened on 1st October 1841, a day which forms a memorable era in the history of the treatment of criminals. The system of the "Aberdeen Industrial Feeding Schools" was in itself *absolutely new*; at least we have not heard of any other institutions identically the same, save those formed avowedly on the same model; and yet the principles on which they are conducted are so simple, and they approach in so many points to other well-known and common institutions, that many fail to perceive that, as a whole, they are indeed a new thing. H NB

There is no one feature of the Aberdeen school which is not to be found in some other school, or poor-house, or hospital, but there is no other institution where the different parts are so combined into one whole; and here lies the essence of the discovery. Selecting from other schemes whatever was beneficial to the class whose welfare Mr Watson sought to promote, and carefully avoiding whatever he felt would exer-

cise a hurtful influence, he gradually formed the plan which has proved so successful.

It is necessary here to state, in the strongest terms, that the plan must be taken as a whole ; if divided, it must fail ; the minutest part of it is essential to its success ; and if any schools be formed on the plan of mutilated imitations, let not the blame be laid on the Aberdeen system, but on departure from the model. Their promoters and supporters are confident of success, founded now on *fifteen* years' experience, provided their principles be rigidly maintained ; and they are equally confident of disappointment and failure wherever they are disregarded.

Fortunately for the nation, the system is so simple that it can be brought into operation in any locality, provided only there be an ordinary amount of Christian zeal and activity willing to undertake it. In fact, it is just because the principles are so simple and so obvious that many fail to discover them, or to apprehend in what respect an Aberdeen industrial school, or one formed after its model, is peculiar and distinct from every other they can name. The most effectual mode of explaining the whole system of these schools, both in their principles and their practice, is to give a short narrative of their rise and progress.

The state of the criminal juvenile population in the city of Aberdeen became an object of particular attention about the year 1840. Returns were procured from the records of the various courts of justice, the police, and the prisons, which shewed that, though this population was numerous, still it was not so great

as to appear altogether unmanageable; and it was resolved that an attempt should be made to reclaim them. Hence arose the Aberdeen schools of industry.

It was ascertained that, in June 1841, there were in Aberdeen 280 children under fourteen who maintained themselves professedly by begging, but chiefly by petty thefts, of whom 77 had been committed to prison during the previous twelve months for various offences. Most of these children went out to beg, on the ostensible ground, whether true or false, that they had no other means of procuring their daily food. It was very plain that while they continued to pursue this mode of life, there was no prospect of their becoming useful members of society. To reclaim them, to put their feet, as it were, on the first step to the path of usefulness, it was obvious that any institution which was really to benefit them must provide them with food, with training in some industrious employment, and instruction, especially religious; for these three things were all required to be furnished to them in order to have a hope of reclaiming them.

It is manifest mockery to offer a starving child training or instruction, without *first* providing him with food. If you do so, the child feels in his heart that you do not really love him, and no eloquent arguments on the beauty and excellence of your instructions will persuade him that you truly desire his good. There is an unanswerable demand at work within him, which admits of no reply but one; you must first supply his bodily wants before you can

expect him to receive your mental instructions. It is vain with such a child, who sees no work, no industry at home, to teach him, by *precept only*, the advantages of industry and diligence in following out a lawful calling. You speak to him in an unknown language, of things which he cannot comprehend. If you intend him to be an industrious member of society, you must train him up in the habit of industrious labour suited to his years; thus employing that precious principle implanted in man by his Creator, which is implied in the injunction, accompanied by a promise, "Train up a child in the way he should go; and when he is old, he will not depart from it."

To food and training, however, must be added instruction. The first elements of human knowledge must be taught, to raise the little outcast above the level of the beasts that perish. To give him anything like a fair chance of success in the bustling struggle of life, he must be taught at least reading, writing, and arithmetic. Without these he can never rise above the lowest level in society, constituted as that of Britain now is.

Lastly, however, and principally, he must be furnished with ample religious instruction, drawn from the pure source of the Bible alone. It is most true that knowledge is power; but to give godless, unsanctified knowledge, is only to increase the power of doing evil on the part of the person so trained. This applies equally to every rank of life; yet in the middle and higher ranks there are other motives which keep crime in check, and give the semblance of virtue where the

reality is wanting; but in the lowest these motives exist not; and if there be not true religion, there is, there can be, nothing but utter profligacy.

The principle on which the Aberdeen Industrial Schools are founded is to combine all these three objects in one and the same institution.

In October 1841 a small subscription, under £100, was collected for the purpose of making the experiment. Rooms, sufficiently extensive, but of the humblest description, were hired, and a teacher engaged. Notice was given that such an institution existed, and that poor children, to the number of sixty, would be admitted on application, and that there they should receive food and instruction, and be employed in such work as was suited to their years.

The attendance at the school for the first fourteen years was wholly and entirely voluntary,—that is, up to the time when Dunlop's and Palmerston's Acts came into operation; since that time a small proportion of the children have been sent under warrants, but no compulsion was found necessary to secure attendance. A child absent from morning hours received no breakfast; absent from the forenoon hours, received no dinner; and if absent from the afternoon, received no supper: and influenced by these attractions, the attendance on the whole was excellent, better, in fact, than at many ordinary day-schools.

The general arrangement of the day is four hours of lessons, five hours of work, and three substantial meals.

The whole produce of the work of the children goes towards defraying the expense of the establishment—

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thus effecting several important purposes; reducing the expense of the school, and teaching the children practically the value of their industry, in procuring for them food and instruction, and fostering in them, from the first, a sound principle of self-dependence, inasmuch as they know, from the moment of their entering school, that they give, or pay, in return for their food and education, all the work they are capable of performing.

The institution does not profess to clothe the children, but, by the kindness of benevolent persons who take an interest in them, there is generally a small store of old clothes on hand, from which the most destitute are supplied.

The first school was not long in operation before its results began to appear. Those who were in the habit of visiting it were struck by the improvement in the appearance of the pupils. The regular supply of wholesome food soon told on their bodily frames, and the half-starved vagrant children began to assume the aspect of healthy thriving boys. The outward moral change was not less conspicuous; the turbulent, unruly urchins were, in a wonderfully short time, converted into tolerably quiet, orderly school-boys. In accomplishing this, much of course depended on the teacher, and the committee of management were highly fortunate in the person whom they selected for the important office,* and also in having the effective assistance, from first to last, of the experienced superintendent of the House of Refuge.†

* Mr Reid.

† Mr James Machray.

The good effects of this school were soon visible beyond its own precincts. The removal of so many youthful beggars from the streets could not fail to attract notice, and the city police authorities reported a perceptible diminution in the number of juvenile offenders.

The following was the daily routine of the school at first opening, and it has never since been materially altered. The scholars assemble every morning at seven in summer, and eight in winter. The school is opened by reading the Scriptures, by praise and prayer, and by religious instruction suited to their years; after which there is a lesson in geography, or the more ordinary facts of natural history, taught by means of maps and prints distributed on the walls of the school-room: two days in the week they have a singing-lesson. At nine they breakfast on porridge and milk, and have half-an-hour of play. At ten they again assemble in school, and are employed at work till two. At two o'clock they dine, usually on broth with coarse wheaten bread, but occasionally on potatoes and ox-head soup, &c. The diet is very plain, but nutritious and abundant, and appears to suit the tastes of the pupils completely. It is a pleasing sight to see them assembled, with their youthful appetites sharpened by four hour's work, joining, with outward decorum, in asking God's blessing on the food He has provided for them, and most promptly availing themselves of the signal given to commence their dinner. From dinner till three, the time is spent in exercise or recreation. From three to four they work; and from

four till seven they are instructed in reading, writing, and arithmetic. At seven they have supper of porridge and milk, and, after short religious exercises, they are dismissed to their homes at eight.

On Wednesday and Saturday they do not return to school after dinner; and occasionally, as a reward of good behaviour, they accompany the teacher in a walk to the country or the sea-coast.

On Sunday they assemble at half-past eight for devotion; breakfast at nine; attend worship in the school-room; after which they dine, and either return home, so as, if possible, to go with their parents to church in the afternoon, or attend along with the teacher. At five they again meet, and have *Sabbath-school* instruction in Bible and catechism; at seven, supper; and, after evening worship, they are dismissed.

From this detail it will be seen that these schools differ, in several particulars, as much from common day-schools as from hospitals. In day-schools neither food nor employment is provided; teaching only is given, accompanied by a very small amount of occasional moral training.

The principle on which the industrial schools proceed, of giving employment along with instruction, especially as that employment is designed at the same time, if possible, to teach a trade which may be afterwards available, appears of the highest value. It is a practical discipline, a moral training, the importance of which cannot be overestimated. In a common day-school—and we allude particularly to those for the

lower classes—a child can hardly ever understand the importance to himself of what he is learning; and there is a separation made in his mind, from the outset, betwixt his school acquirements and his industrial pursuits, calculated to injure his future progress; he may prefer his lesson, or he may prefer his work; but he is not led to feel that both together constitute his education. In a common school too, there can be but little moral training, however efficiently the school may be conducted, just because there is little opportunity given for the development and display of individual character. The whole management of a school requires that the pupils be as speedily as possible brought to a uniform outward conduct, and thus an appearance of good behaviour and propriety is produced within the school-room, which is too often cast aside and forgotten the moment the pupils pass the threshold. We have often remembered and pondered on the remark once made to us by an experienced teacher—"That, for the purposes of moral training, he valued more the time he spent with his pupils at their games, than that which was spent in the school-room." That teacher both knew his work and knew human nature.

The whole system of the industrial schools is *training*; and those who have watched the progress of a new pupil can never fail to remark it. At the various meals, and during his various industrial employments, he is taught practically many a moral lesson—he is trained to respect the property, the persons, and the feelings of his comrades, and, being constantly under

influences in the workshop. Our prisons afford occasional cases of young persons, who had no knowledge of any trade at the date of their imprisonment, being taught during their confinement, and being able, on liberation, to support themselves by honest industry. The same result would follow from these industrial schools, did the pupils only remain a sufficient length of time; but this is impossible with the class of persons who fill the schools in Aberdeen—it can only be so with the children of a higher class, for whose benefit it is greatly to be desired that the experiment were fairly tried.

The amount received for work has fallen short of what was at first expected, for the hope was then entertained that the schools might be in time self-supporting. There are various reasons: it is not easy to find remunerating work for children so young; a considerable time must be spent in teaching them before they can learn to work *profitably*; and, as soon as they have attained to a certain degree of dexterity and training, every exertion is made to procure them more remunerative employment elsewhere. The pecuniary value of the work done, however, is of small comparative importance; the real value of it lies in imparting to the scholars a habit of steady persevering industry, perhaps the most valuable habit which can be implanted either in rich or poor. Whatever be a man's station in life, whether he have to work with his head or with his hands, without this habit he can never excel.

The children of these schools having, in general, no

example of *industry* shewn to them at home, it is a new thing, a new idea to them; and here lay one great difficulty at the outset—it seemed impossible to get them to persevere in their work. By degrees, however, the teachers prevailed; and sooner, perhaps, than could have been expected, work became a pleasure rather than a penance; and now, when two or three new scholars are admitted, however bad their previous habits may have been, there is little difficulty in managing them—they soon fall in with the established order of the school, and quietly learn their tasks. Feeding the children is also a peculiar feature in these schools, and it is the part of the system, the value of which is most clearly and distinctly appreciated by the scholars, and perhaps by their parents. Industrial schools for a *higher* class might be conducted with all efficiency, without food being furnished to the scholars; but for the class for whom these schools are intended, food is absolutely essential. In no other way can it be proved to them that there is an earnest desire to promote their advantage. They want food; it is offered to them, but on the condition that they take the teaching and training along with it; hence the rule, that absence from the work or lessons preceding each meal, unless for sufficient cause, forfeits the meal. Under the laws, as they existed at the time of opening the schools, there was no compulsory attendance; it could only be induced and tempted by the obvious and palpable advantages offered for it. It was said at the commencement that they would never attend regularly; that

they might come for a day or two, but they would soon leave, and return to their idleness. Experience, however, soon proved the contrary; the food was an irresistible attraction. A few were removed by their parents, who preferred the wages earned by their children as beggars, to all the inducements held out to them, for there was at that time no power and no wish to compel attendance. A few left because they could not endure the restraint to which the school subjected them, but the large majority continued till they were provided with remunerative employment elsewhere, or till their parents came to have the ability, and to see the duty, of themselves maintaining and educating their children.

In the particulars now noticed, these schools differ from ordinary day-schools. They approach to the hospital system in furnishing food, but they differ from it in providing neither clothes nor lodging. Clothing the children is not undertaken by the managers of the schools, but in practice their more pressing wants are supplied, not from the school funds, but by special assistance from individuals. In the circumstance of furnishing lodging only in exceptional cases, they differ altogether from hospitals. The evil of hospitals lies not in the management of them, which is often as good as it can be, but in the system itself, which the best management can hardly cure. What can be more preposterous than to find the finest edifices in our towns erected and maintained at vast cost for the education of the poorest children of the community, or, at least, of those whose parents are supposed to be

so poor as to be unable to educate them? Taken from want and penury, they are placed at once in the midst of abundance; food, clothing, and lodging, of the best description are supplied to them without an effort on their part. Here they are kept for years, carefully taught the common branches of education, and then turned out into the world to make their way in it, without the possibility of having learned a single practical lesson fitted to enable them to struggle successfully against the competition, hardship, and privation which they must encounter. Such a system is precisely analogous to that of a farmer who would raise his crops in the artificial heat and warmth of a hotbed, and then transplant them to the open field to encounter the winds and frosts of winter. Doubtless his plants would flourish wonderfully in the hotbed, just as children do in the hospital; but both being devoid of the strength and firmness required for their permanent place of growth, this mode of rearing either children or vegetables, must turn out altogether unprofitable to the community.

Family ties are the foundation laid by the Creator for the good order of society; whatever tends to break them up, to separate children from parents, brothers from brothers and sisters, must be evil. These great hospitals are, in truth, very like monasteries and nunneries for boys and girls. There is, for the time, the same breaking down of family connexions, the same seclusion from the world, the same process of unfitting for the active business of life, the same providing of all necessary supplies, and at times, even superfluities and

luxuries, without a thought or an exertion on the part of the recipient; and may we not add, there is the same hurtful prevention of that just and proper intercourse betwixt the youth of the two sexes, which is essential to the godly upbringing of boys and girls of every rank. The evils of the hospital system might be considerably abated by encouraging, instead of preventing, free daily intercourse with companions and equals. The hospital idea is to keep from the contamination of bad example; but God's appointment is, that the tares and the wheat shall grow together, and man's duty is to teach the young to know what is good and what is evil, and to train to choose the good and reject the evil, and this can never be accomplished by endeavouring to bring up without knowing that there are such things as sins and temptations in the world, and that by practical experience as well as by precept. Everything that has now been expressed on hospital training applies, and perhaps with greater force, against the plan of training pauper children in poor-houses and unions. They may be taught any amount of knowledge, but they can never be educated.

The whole question of lodging was the subject of much consideration when the industrial schools were first opened. It was thought by some of the managers, that if the children were permitted to return home, the good done at school during the day would be all undone at night—that the polluting influence of their miserable homes would more than counteract the training of the school; and it is probable, that if funds and other circumstances had permitted, the attempt

would have been made to lodge the pupils. Fortunately for the cause of industrial schools, it was financially impossible to make the experiment: and the result of above fifteen years' trial proves that the cases where evil results from the children returning home are very rare; while, on the other hand, there have been most cheering instances of substantial good having resulted from the children carrying home the school lessons to the other members of the family. There are few parents, especially mothers, so abandoned as not to be touched by kindness shewn to their offspring; it is, in truth, the direct road to the mother's heart; and by shewing kindness to her child, she is prepared at once to second your efforts in its behalf. She must be debased indeed who will not listen to her child repeating its Bible lesson, or singing a verse of its infant hymn; and by such means the first seeds of a new life may be, and have been, planted in many a careless parent's heart.

Cases do occur, though rarely, where the parents are so utterly depraved that they value their offspring only for the sake of the wages of sin which they may daily bring them, and then it is needful to separate them; but it is not needful to shut them up in an hospital or a poor-house on this account. Let them still enjoy the advantages of family intercourse by boarding them with respectable persons, and not more than two or three in one house; and the same plan ought to be followed with orphan and deserted children, in place of gathering them in crowds into poor-houses. Every town and village will furnish abundance of suitable

parties willing to receive such inmates, and thankful for moderate remuneration.

Such are some of the principal features which distinguish the industrial from the common school on the one hand, and from the hospital or poor-house school, on the other, and they clearly shew how peculiarly they are adapted to the wants of the more destitute classes of children.

Having thus explained the distinctive features or principles of the Aberdeen Industrial Schools, details of the progress of each from year to year may not be uninteresting.

The Original Boys' School was opened on 1st October 1841, with 20 scholars, which number was gradually increased to 60. The total number admitted during the first six months was 109; and as might have been expected at the outset, some were admitted who were unsuitable, and some who, only remaining for a day or two, could not know whether they would like school or not, and others whose parents would not permit them to remain; but by the time the school was fairly in operation, viz., the months of February and March 1842, with 60 on the roll, the average attendance rose to $53\frac{1}{2}$ daily; the average for the whole six months was 36.

The amount of work done for the first six months was £25, 19s., or nearly £1 per week; or 14s. 6d. for each scholar. The total expenditure for the six months was £149, 15s. $4\frac{1}{2}$ d.; of which, for food, £81, 18s. 9d.; or for each £4, 8s. 10d.; and, deducting his earnings, £3, 13s. 4d., equal to £7, 6s. 8d. per annum—a cost,

as was to be expected, considerably greater than in after years.

From 1st April 1842 to 1st April 1843, the number of admissions was 103, the average daily attendance was 52. The amount of work done was £58, 19s. 4d., about £1, 2s. per week; and the total expense for the year £333, 10s. 9d., of which, for food alone, £235, 6s. 2d. The expense of each scholar was thus £6, 8s. to the institution; but his earnings amounted to £1, 2s. 8d., leaving as the cost of feeding and teaching each boy, £5, 5s. 4d.

The latter part of this year and the commencement of the following, proved the *critical* period in the history of the establishment. The interest felt in it by the public at the first opening gradually subsided, the subscriptions greatly fell off, and the directors must have abandoned their scheme, and dismissed the children, but for the liberal donations given by the town-council and by the trustees of the Murtle Charitable Fund. Notwithstanding these aids, they were compelled to refuse almost all fresh applications, and even to dismiss all whose cases were not of the most urgent description; thus reducing the number on the roll from 59 to 35.

The public, however, began to take a more lively interest in the school. Subscriptions came in, and the directors once more opened their doors to all applicants; and by the 30th March 1844, the number on the roll was 69.

It may illustrate the class of children attending this

school, to give the ages and family circumstances of these 69.

	Under 7 years of age	.	.	.	4
Between 7 and 8	"	.	.	.	5
" 8	" 9	"	.	.	11
" 9	" 10	"	.	.	18
" 10	" 11	"	.	.	11
" 11	" 12	"	.	.	5
" 12	" 13	"	.	.	10
" 13	" 14	"	.	.	5

Orphans, 4; motherless, 4; fatherless, 36; both parents alive, 25,

Thus, of the 69 boys, 45 were from eight to twelve years of age, precisely the period when teaching and training are most needful for those who must support themselves in after-life by their own industry. No fewer than 36 had lost their fathers, while only 4 had lost their mothers. Ought not this to teach the public the duty and necessity of coming promptly and affectionately to the aid of the widow, to enable her to train up her children, so that they may not prove a torment and disgrace to her and a pest to society? Inquiry into the 25 cases where both parents were alive, shewed that in some the father had deserted his family, and that in others he was disabled from work.

For the whole of this year, the average attendance was $44\frac{3}{4}$, and the earnings, £54, 14s. $6\frac{1}{2}$ d., or £1, 4s. for each; and the expenditure, £252, 6s. 3d. (of which for food £182, 9s., being £4 a-year for each);

making the average expense of each pupil £5, 12s. 1d., or, after deducting the earnings, about £4, 8s. of net outlay.

For the year 1844-45, the average attendance was $51\frac{1}{4}$; and the earnings, 71, 6s. $11\frac{1}{2}$ d., or £1, 7s. $8\frac{1}{2}$ d. per head. The total expenditure, £309, 4s. $10\frac{1}{2}$ d.; £5, 18s. 10d. each; or, deducting earnings, about £4, 11s. per head.

During the year, 17 boys left school, having got employment in various ways; 4 were removed by their parents, who had become able to support them; and 4 were admitted into other charitable institutions. At 1st April 1845, the number on the roll was 72.

	Under 7 years of age,	.	.	.	6
Between 7 and 8	"	.	.	.	11
" 8 " 9	"	.	.	.	7
" 9 " 10	"	.	.	.	15
" 10 " 11	"	.	.	.	11
" 11 " 12	"	.	.	.	4
" 12 " 13	"	.	.	.	8
" 13 " 14	"	.	.	.	3

38 were fatherless, 2 motherless, and 32 with both parents alive, but 8 of them deserted by the father; making, in point of fact, 46 of the 72 to be fatherless. Further, it was mentioned in that year's Report, that, of the 72 boys, 24 have attended the school for more than two years, 18 for more than one year, and 30 from one to twelve months.

The following table shews the gradual progress of this school down to the present time:—

BOYS' SCHOOL OF INDUSTRY.

Year.	Average Attendance.	Average Total Cost.	Food.	Earnings.	Net Cost.	Got Employment.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1841-42	36	8 6 8	4 11 0	0 14 6	7 12 2	—
1842-43	52	6 8 0	4 10 4	1 2 8	5 5 4	—
1843-44	45	5 12 0	4 1 0	1 4 0	4 11 0	—
1844-45	52	6 0 0	4 0 0	1 10 0	4 10 0	17
1845-46	49	6 0 0	3 8 6	1 10 1	4 9 11	22
1846-47	66	5 17 10	3 14 0	1 16 4	4 1 6	14
1847-48	66	5 18 9	4 1 9	1 14 9	4 4 0	28
1848-49	64	5 10 7	3 15 7	1 7 6	4 3 1	18
1849-50	61	5 7 2	3 10 6	1 17 4	3 9 10	14
1850-51	64	4 18 5	3 1 3	1 14 4	3 4 1	7
1851-52	72	4 5 10	3 0 0	1 5 10	3 0 0	12
1852-53	66	3 11 5½	3 0 6	1 0 6	2 10 11½	8
1853-54	61	4 3 8½	3 0 6	1 1 1	3 1 7½	11
1854-55	53	4 7 9½	3 0 0	1 0 9	3 7 0½	14
1855-56	65	3 17 3½	3 4 8	0 15 8	3 1 7½	17

For some years past, a very convenient arrangement has been made with the House of Refuge, by which the boys are fed at 5s. a month each, or £3 a-year; being, on an average, the ascertained cost; last year, owing to high prices, the expense was somewhat greater.

THE GIRLS' INDUSTRIAL SCHOOL.

The success which had attended the Boys' School of Industry soon led to the establishment of a School for Girls of the same class of society. It was opened on 5th June 1843, in a small house in a narrow street; but a house of a better description, though still of an unpretending character, was soon procured. The immediate superintendence of it was at first undertaken by six ladies, and the committee of management was afterwards extended to twenty-four, who, guided by high Christian principle, gave much time and labour to this important work; and under their care it prospered even beyond their expectations. Owing to the small amount of funds at their disposal, and also to the

limited accommodation they were able to procure, they were obliged to restrict the number of pupils to 60; and the sole ground of admission was the destitution of the applicant.

The case of each child was carefully investigated by one or more of the committee, previous to admission, and they carefully selected those who seemed to be most in need of the benefits of the institution. It was manifestly prudent to commence with a small number of pupils, in order to have a little band of scholars trained, who might serve as a means of bringing those afterwards admitted more readily to a state of subordination and compliance with the necessary rules of the school. Accordingly, the school was opened with only 3 scholars, and gradually increased to the full number of 60.

The change on the appearance of the girls after a few months' attendance at this school was even more striking than that of the boys. A poor, half-starved, outcast girl, brought up in ignorance and filth and sin, is even a more painful and a more degrading sight than a boy of the same description. She seems to have fallen, or to have been forced, into a state further below her right place in the world than the boy, and yet, owing to her more plastic nature, it is easier to raise her up again. The Girls' School does not profess to clothe the girls; but much more is done in this way than with the boys, and what is found to be necessary is supplied. Cast-off clothes are procured from time to time for the most destitute, and the managers also do all they can to induce the parents to procure suitable

clothing for the children, even at times by paying part of the price. The school furnishes uniform pinafores; clean hands and faces, and smooth hair, are strictly enforced; so that, in a short time, it is impossible to recognise the pupils as the beings who were so lately reclaimed from the streets. The school, as stated, was opened in June, with 3 scholars, and more were gradually admitted till December, when there were 26 on the roll; and the daily attendance was almost invariably the same with the number on the roll.

At this time it was thought expedient that the managers should draw up a report of their six months' proceedings, and present it to a public meeting, in order to excite more general interest in the school. In the Report, they explained the general system of proceeding which they had adopted. It is as follows:—

The children meet at seven A.M. in summer; at eight in winter. The work of the day commences with praise and prayer, and religious and miscellaneous instruction till nine, when they breakfast on porridge and milk, and until ten have play; ten to two, work and lessons, *i.e.*, sewing, knitting, reading, and writing; at two they dine, on plain, wholesome food—broth, soup, potatoes—varying according to circumstances; from three to seven they work, and, in favourable weather, walk for an hour with the matron; at seven, each receives a roll for supper, and, after joining in brief praise and prayer, they are dismissed to their homes.

On Sunday, they come in the morning to breakfast, after which they are attired in the school Sunday clothing, attend church along with the matron twice, dining betwixt the two services, and in the evening have lessons in Bible and Catechism, and are dismissed, as on other days, about seven, after having had supper.

The Female School is thus conducted as nearly as possible on the same plan as the Boys', viz., by combining food, training, and teaching, into one system. The girls' work is, from its nature, less remunerative than the boys, and defrays a less portion of the necessary expense; still, other expenses are smaller, and, on the whole, the cost of a girl at the Industrial School is nearly £1 a-year less than that of a boy.

In December 1844, the second public meeting was held, to receive the first complete year's Report. At this date the number on the roll had been increased to 49, and the managers were able to speak in very decided terms of their confidence in the principles on which they were proceeding.

In December 1845, the third Report stated that a still further increase had been made on the numbers, and that there were then 64 on the roll, and the average attendance was above 60.

During this year 35 girls left; 16 removed by their parents being able to provide for them; 5 to be employed in factories; 7 as domestic servants; 7 deserted, and one died. Of the 64, there were—

Under 7 years of age,	2
Between 7 and 8 "	11
" 8 " 9 "	10
" 9 " 10 "	12
" 10 " 11 "	13
" 11 " 12 "	8
" 12 " 13 "	6
Above 13 "	2

30 had both parents alive, 5 had father only, 26 had mother only, and 3 were orphans. The value of the work done during the year was £16.

The Report for the fourth year was laid before a meeting of subscribers and friends to the institution, on 23d December 1846. During the year, the monthly attendance varied from 56 to 69; 58 new pupils were admitted, and 8 re-admitted; 23 left for service; 31 were removed by their parents, for various causes; 13 left without any cause assigned; 1 was dismissed, and 2 died. The value of the work during the year was £20, 3s. 6d.

On 1st December 1846, there were 60 names on the roll. Of these—

8 had attended	3 years.
4 "	2 to 3 "
21 "	1 to 2 "
11 "	6 to 12 months.
16 "	1 to 6 "
2 were under	7 years of age.
26 were from	7 to 9 "
22 "	9 to 11 "
10 "	11 to 14 "

25 had both parents alive, 7 had father only, 4 were orphans, and 24 had mother only; and of the 25 who had both parents, 6 had been deserted by the father—thus making 30 dependent on the mother alone.

The total expenditure during the year was £228, 16s. 10d., and the average attendance being 58, the expense of each pupil was £3, 18s. 10 $\frac{3}{4}$ d., and the work of each amounted to 6s. 11 $\frac{1}{2}$ d.—leaving the cost of each pupil to the institution, £3, 11s. 11 $\frac{1}{4}$ d. It may well be doubted if there be any other mode by which an equal amount of good can be done to our outcast home population at so small an expenditure of money.

In the working of the Girls' School, much positive good has resulted from the children returning to their homes at night, and still more from the visits of the managers and teachers to the homes of the pupils. The benefit which results from a little kindness is almost incredible. A kind word, a kind look, to the miserable outcast labouring under want and privation, and especially if accompanied by deeds of substantial kindness to her offspring, not only excites gratitude in her bosom, but instantly conveys to her a feeling of self-respect—a desire not to be unworthy of kindness; and this may prove the first step in the progress of moral reform, to be, however, in time superseded by the implantation of higher and holier principles in the heart.

The remarks of the ladies in their fourth Report seem so important and so valuable in regard to the

effects of the industrial school on the homes and families of the pupils, of which they have been eye-witnesses, that it is best to give it in their own words. They speak of the school as "demonstrating the great moral fact, that the children of the poor, and, it may be, of the careless and worthless, can, at a small amount of labour and expense, be brought within the sphere of all that is good, and estimable, and praiseworthy; and without being altogether separated from their parents, made instrumental in carrying to their homes the saving truths of the gospel; and by practising the lessons of industry and cleanliness and order, altering the character of these homes, and making them the abodes of social happiness and domestic comfort; proving that the feature of the industrial school which may be deemed the most objectionable, may, by the Divine blessing, become the one which enhances its value. For, without breaking the family tie, the child is permitted during the day to receive a sound, practical, religious education, allowing the parents to pursue, without interruption and without anxiety, their respective avocations, and to carry home at night, for the solace and improvement of the family circle, the influence of the school training, and thus strengthening and confirming the natural affections, without exciting any feelings of dependence or degradation; because, although the child is fed and educated at the expense of the school, she gives, in return for these benefits, all the labour of which she is capable."

No industrial school can prosper where the teachers have not firm, immoveable principle—hearts full of love

to the *souls*, as well as the *persons* of the pupils, and whose great desire is to bring them to the knowledge of the only Saviour, while they neglect no other needful care and worldly instruction. One great object to be ever kept in view, is to make the school, as it were, "a happy home" to the children; to make it, as much as possible, what their own homes ought to be, a scene of cleanliness, industry, cheerfulness, discipline, training, and instruction.

Almost from the commencement of this Girls' School, there was an element of discórd amongst the lady directresses, which had no reference, not even the most distant, to the principles on which the school was based, but related to matters on which the contending parties had adopted irreconcilably opposite opinions, and each conscientiously sought to have her own views and opinions brought to bear upon the school, in determining the place of worship to be attended by the children.

At the time, it was feared that the dissension would have a most injurious effect, not only on the school which was the scene of its operations, but even on the cause in general; but the result has been widely different.

Instead of *one* school, with about sixty scholars, there are now *two*, each attended by a larger number, and each accomplishing, it is believed, an equal amount of valuable work.

The original school has, since 1847, received the appropriate designation of "Sheriff Watson's Female Industrial School;" the other is known as the "Girls'

School of Industry of Aberdeen." They are situated about a mile apart from each other. For Sheriff Watson's School, a singularly neat and convenient edifice was erected in 1851, at a cost of about £500; and for the Girls' School of Industry, a remarkably suitable house has been purchased, at a cost of about £700.

In the Report of Sheriff Watson's School, presented December 1851, it was stated that the number then attending was 71, of whom 58 were under 11 years of age; and that the total expense per head was £2, 8s. 6d. per annum—a sum almost incredibly small; and yet, whether the intellectual and religious, or the physical and corporeal improvement of the pupils be considered, it is most manifest to every visitor that the school is fully and fairly accomplishing the object for which it was established.

The Report for the year 1856 states that the average number on the roll for last year was 73, and the average daily attendance, 65 $\frac{2}{3}$. Of the children, 51 were under 12 years of age; 2 were orphans, 32 had only one parent alive, and 7 deserted by their fathers; 25 had been at school under 1 year, 22 under 2 years, 9 under 3 years, 2 under 4 years, 3 under 5 years, 2 under 6 years, and 2 under 7 years. During the year, 43 have left the school, for the following reasons:—8 required at home; 7 on account of sickness (4 re-admitted); 9 to domestic service; 2 on parents leaving Aberdeen; 2 on improved circumstances of parents; 3 on account of distance from school; 2 claimed by poor-law authorities, and removed to poor-

house; 6 to manufactories; 4 without cause assigned. The total expenditure of the school for the year was £241, 17s. 5d.—being an average cost for each child of £3, 13s.

The amount received for work during the year was only £5, 8s. 9d.; but the working time of the children was mostly devoted to making and mending clothes for themselves.

In the Report of the Female Industrial School of Aberdeen for 1851, it was stated that the number of names on the roll was 77, of whom 63 were under 12 years of age; that no fewer than 18 girls had gone from the school into domestic service, and that they could not be trained up fast enough to supply the demand. The average total expense was £3, 8s. for each.

In the Report for 1856, it is stated that the number on the roll was 81, of whom 59 were under 12 years of age, and that 14 had gone to domestic service, and 5 to other work. The attendance at this school is particularly regular, the full number on the roll being usually present. Three of them are orphans; 2 deserted by father, mother alive; 23 father dead, mother alive; 18 illegitimate; 23 both parents alive.

These statistics sufficiently shew that the children now attending the two female schools are exactly of the same class as those admitted on first opening them—a fact which strangers who visit them are at times disposed to question, so completely is the whole appearance and bearing of the children changed by the food and training they receive.

JUVENILE SCHOOL.

After the boys' and the girls' schools had been for some time established, it became evident that they were not adequate to accomplish all that was requisite for the outcast population of Aberdeen. Much as they had done, there was still a portion of the population which they had not reached, or which was not disposed to avail itself of the advantages they provided. Another institution, in some respects of a lower grade, was required; and the same untiring activity which had devised and carried out the original industrial schools had now the honour of establishing the necessary addition to them.

The class for whom the new institution was designed were children, who either lived by petty depredations on the public, or who, though not committing any positive crime, supported themselves as beggars, and thus prepared themselves for a life of misery and crime.

The Local Police Act for the city of Aberdeen gives power * to put an end to begging in the streets—a most desirable object; but, like many other summary reforms, rendered almost nugatory by doing only half the work. It provides for putting an end to

* The Act alluded to is 10 Geo. IV., cap. 41, and the clause under which the Juvenile School operations commenced is the following:—
 “ § 171. And be it enacted, that the said officers of police, watchmen, and other officers of the law, shall apprehend and bring before the provost or any of the four bailies of Aberdeen, or the sheriff of the county, or his substitutes, acting as judges in the Police Court, all vagrants and common beggars for examination. . . . And if any of the

8 X
begging; but it neglects to devise any mode of caring for the beggar, and putting him in the way of maintaining himself; it treats him simply as a great nuisance to the public, to be forthwith put down, but providing no proper remedy, none at all but punishment, it greatly fails in its object. It proved, however, a most valuable enactment when private exertion stepped forward to supply that which was defective in the law.

X X X
The object proposed by this new school was to put an end to juvenile mendicity, by at once laying hold of the whole of the offenders, under authority of the Police Act, and providing them with food and instruction. When the plan was fully explained to the police authorities, they most judiciously agreed to pay from their funds the expense of the teachers for a time, until the experiment should be fairly tried. The managers of the soup-kitchen gave the use of their buildings gratis; and the great moral experiment was commenced, with only £4 sterling of money collected.

Instructions were given to the police, on the 19th May 1845, to convey every child found begging to the soup-kitchen; and in the course of the day, 75 were collected, of whom 4 only could read. The scene which ensued is indescribable. Confusion and uproar,

said vagrants or common beggars shall, after the expiration of forty-eight hours, be found idle or begging within the said territory, they may be apprehended and carried before any of the said judges; and the judge before whom they are brought may, on complaint of the procurator-fiscal or superintendent of police, adjudge them to be disorderly persons, and as such may commit them to Bridewell for any space not exceeding sixty days, and to be kept at hard labour."

quarrelling and fighting, language of the most hateful description, and the most determined rebellion against everything like order and regularity, gave the gentlemen engaged in the task of taming them the hardest day's work they had ever encountered in their lives. Still they so far prevailed, that before night their authority was comparatively established. On their dismissal, they were invited to return next day, informed that they could do so or not as they pleased, and that, if they did, they should be fed and instructed; but that, whether they came or not, begging would not be tolerated. Next day, the *greater part* returned! The managers felt that they had triumphed, and that a great field of moral usefulness was now secured to them.

The children brought to this school were far below those who attended the other two institutions, low as they appeared to be when the schools were first opened; and the scene of filth, disease, and misery, exhibited even in the school itself, was such as would speedily have driven from the work all merely sentimental philanthropists. Those who undertake this work must have strong sound principle to influence them, else they will soon turn from it in disgust.

The school went on prosperously; it soon excited public interest, funds flowed in, and, what was most gratifying, the working classes took a lively interest in it; and while the wealthier inhabitants of Aberdeen contributed, during the year, about £150 for its support, the working men collected, and handed over to the committee, no less than £250.

One very important fact was elicited by this exertion on the part of the labouring classes. Some of them, living near the school, were asked, "Why do you take so great an interest in this school, and contribute so liberally to its support, when it is not for the use of your own children?" The reply was, "Before this school was opened, we were afraid to trust our children a moment out of doors alone; they were exposed to learn, and did learn, all manner of mischief; but now this school has cleared the streets of the little vagabonds who corrupted them; and we are not now afraid to let them go out, and therefore we support this school." No better or more important testimony could be given, and it ought never to be lost sight of by the supporters and promoters of industrial schools; it is an unanswerable argument in their favour.

The first annual meeting of this institution was held on the 13th July 1846; and the following extracts from the Report will explain its operation:—

"The following table shews the admissions during each month, and the average daily attendance:—

				Number of Admissions.				Average Attendance.
1845.	May,	.	.	91	.	.	.	70
	June,	.	.	9	.	.	.	66
	July,	.	.	14	.	.	.	53½
	August,	.	.	12	.	.	.	61
	September,	.	.	6	.	.	.	55½
	October,	.	.	6	.	.	.	52
	November,	.	.	6	.	.	.	56
	December,	.	.	2	.	.	.	53½
	Carry forward,			146				

	Brought forward, .	146							
1846.	January, . . .	3	.	.	.	.	.	50	
	February, . . .	3	.	.	.	.	.	52	
	March, . . .	4	.	.	.	.	.	58	
	April, . . .	4	.	.	.	.	.	60	
									160

“The above aggregate number of 160 have been thus disposed of:—18 were dismissed as improper; 26 got employment; 34 deserted, or were removed by their parents; 8 got into other institutions; 74 remain on the roll. Of these, 43 are boys and 31 girls. The following table exhibits the ages of the inmates:—

3	are . . .	3	years of age.	
10	” . . .	4	”	
2	” . . .	5	”	
10	” . . .	6	”	
8	” . . .	7	”	
7	” . . .	8	”	
6	” . . .	9	”	
15	” . . .	10	”	
3	” . . .	11	”	
1	” . . .	12	”	
7	” . . .	13	”	
1	” . . .	15	”	(deaf boy.)
1	” . . .	20	”	(girl, a lame arm.)

Of whom 2 are orphans, 5 have father alive only, 47 have mother alive only, and 20 have both parents alive; 34 now in attendance were in the institution during the first month; 2 are dead. Of these, 2 only could read at admission, 8 knew the letters of the alphabet; 23 can now read, 24 can read a little. Their moral and religious instruction had been utterly neglected.

Very few of them had ever attended any place of worship ; but considerable attention is now paid to their religious instruction, and the whole number attend church along with their teachers, and also receive religious instruction in the evening from Sabbath-school teachers.

“ Of late the attendance at the school has been remarkably regular, and very few children in attendance at the industrial schools have been convicted of any offence. The regularity of attendance is owing to the children receiving their food in school; and the school hours being from seven in the morning till seven at night, there is little opportunity for the commission of crime.”

The value of the work done in this school was very small, as might be expected ; but the teachers being paid by the police, and the premises given gratis by the managers of the soup-kitchen, there was little expense, except for food and for clothing, of which a certain supply was required for common decency. Taking the average attendance for the year at 57, the expense of each child was about £4 a-year.

The remarks made in this Report, on the subject of poor neglected children, deserve the most careful consideration :—

“ Having thus given a detail of their proceedings, your committee turn their attention to the question that now presents itself, On what footing is the present institution in future to stand? Is it to remain in a confined, unsuitable place, or is it to have room enough for the practical training of the youth for whose benefit

it was originated? Experience has shewn that neglect of the children of the poor has produced the most lamentable results. The child of poverty was allowed to grow up in ignorance. Compelled by his parents' necessities to cater for his immediate wants, he roved about like a wild animal, and practising every species of deception in order to obtain subsistence. To lie, cheat, steal, were his daily occupations. Detection brought opprobrium and chastisement. From being an object of compassion he soon became the object of dislike. The annoying beggar became the practised thief; and, while still a child, he was reputed experienced in crime. Brought to the criminal bar, he excited the sympathy of the judge; and, sentenced to imprisonment, he became really an object of interest. During the short period of his first imprisonment, a most unaccustomed care was bestowed upon him; comfortably lodged, clothed, and fed. The schoolmaster, and chaplain, and governor, paid their daily visits, and an anxiety was expressed about his well-being which quite overpowered him. It was only when he was dismissed that he again found himself the same unfriended, uncared-for, suspected being he was before. But the prison was now divested of all terror, and he became its frequent inmate. He seemed to consider himself the adopted of the police; and, judging from the readiness with which they spoke to his being "habit and repute," their familiarity was excessive. But, notwithstanding the improvements in prison discipline, short imprisonments do not reform, more lengthened were equally inefficient, and he was

soon sent abroad for his final reformation; and thus, after all the labour and expense bestowed upon his training, he was lost for ever to the community.

“A few years since there were 280 such children in Aberdeen, who had no visible means of subsistence but by begging and stealing. A begging child is now seldom to be seen in our streets or in the county; and juvenile delinquency has considerably diminished. The former result has been produced by the establishment of schools of industry; and in order still more to diminish juvenile delinquency, an improved system of industrial training is earnestly recommended.”

The progress and present state of this school is shewn by the following table:—

JUVENILE SCHOOL OF INDUSTRY.

Year.	Average Attendance.	Average Total Cost.	Food.	Earnings.	Net Cost.	Got Situations.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1845-46	57	4 7 8	3 7 4	0 8 5	3 19 3	26
1846-47	75	4 7 2	3 6 8	0 3 7	4 3 7	6
1847-48	84	5 7 4	3 2 0	0 4 0	5 3 4	15
1848-49	94	3 16 9	2 6 4	0 2 0	3 14 9	8
1849-50	85	4 0 0	2 2 10	0 2 10	3 17 2	10
1850-51	95	3 7 7	1 14 10	0 3 0	3 4 7	7
1851-52	94	4 2 3	2 1 3	0 6 9	3 15 6	12
1852-53	79	3 19 1	2 17 6	0 3 4	3 15 9	15
1853-54	73	4 3 10	3 8 9	0 7 4	3 16 6	11
1854-55	71	4 14 10	3 1 9	0 7 0	4 7 10	9
1855-56	79	4 6 4	3 6 5	0 4 3	4 2 1	8
Average,	88	4 4 10	3 16 2	0 4 9	4 0 1	11½

The larger amount of earnings the first year is to be explained by the fact, that a good many of the pupils that year were several years older than in subsequent years; and hence, also, the larger number provided with situations. After a time the aid from the police

was withdrawn, and the school has ever since been supported by subscriptions.

The experience acquired in these schools, and the connexion which most of the managers had with the criminal courts of the city, led to the opening of a fourth institution—the Child's Asylum. Acting from day to day as judges, these gentlemen had occasionally cases brought before them which gave them extreme pain. Children, nay infants, were brought up on criminal charges; the facts alleged against them were incontestably proved, and yet, in a moral sense, they could scarcely be held *guilty*; because, in truth, they scarcely knew that they had done wrong; while it might be well questioned whether the public had any right to demand sentence against them, considering that the public had not taken pains to see to it, that no child was left to grow up in utter and total ignorance of the difference between right and wrong; and that, if this duty had been neglected, the punishment ought more justly to fall on the public than on the poor neglected child, just because the public was more guilty in the matter than the child. There were, however, great practical difficulties in the way, which could only be got over indirectly, until the passing of Lord Palmerston's and Dunlop's Acts. The magistrate could adjourn the case, directing the child to be cared for in the meantime; and inquiry could be made as to his family and relations, as to his character and the prospect of his doing better in future; and he could either be restored to his relations, or boarded in the House of Refuge, or with a family, and educated

in one or other of the industrial schools, the charge of crime still remaining against him to be made use of at once if he deserted school and returned to evil courses.

The great advantage here sought was to avoid stamping the child for life with the character of a convicted felon before he deserved it. *Once* thus brand a child in this country, and it is all but impossible for him ever, by future good conduct, to efface the mark. How careful ought those to be who make and administer our laws not rashly to impress this stigma on the neglected child!

The "Child's Asylum" may be considered to have been an attempt to carry out the French principle of a child acting *without discernment*, in a modified manner, on a small scale, and without the sanction of legal authority. One of the directors' reports gives so clear a view of its progress and usefulness, that it is desirable to give it entire; it explains the whole constitution and working of the system:—

"At a meeting of the Child's Asylum Committee, held on Monday, the following Report was unanimously adopted, and ordered to be circulated:—

"Fifth Report of the Child's Asylum Committee for the Twelve Months, ending 1st December 1851.

"The Child's Asylum was established in December 1846, and the committee has for five years exercised the difficult and delicate task of investigating the cases of destitute children, and admitting such of them as

were eligible to the schools now under the management of the Industrial School Association.

“During the first two years of its administration, it inquired only into the condition of the mendicant and delinquent children apprehended by the police; but for the last three years, it has inquired into the cases of destitute children, on whose behalf application had been made for admission into the industrial schools.

“Though exercising, for so long a time, these very important functions, it is believed that there are many intelligent persons in Aberdeen who have never heard of the Child’s Asylum, and many more who, up to this time, know nothing of its nature or constitution. The asylum consists of two small rooms, connected with the House of Refuge, for the temporary accommodation of mendicant children brought in by the police; and the committee consists of representatives from certain public bodies, who are delegated by the Industrial School Association to admit destitute children into their schools.

“The committee holds its regular meetings in the House of Refuge every Wednesday, at one o’clock; and at present it consists of three representatives from each of the following bodies, viz.:—The Town Council, the Commissioners of Police, the Parochial Board of St Nicholas, the Parochial Board of Old Machar, the House of Refuge, and the Joint Committees of Management of the Boys’ and Juvenile Schools of Industry.

“It will probably be recollected that, in May 1845,

orders were given to the police to apprehend all children found begging on the streets, and convey them to the Soup-kitchen School; and that, in the course of one morning, no fewer than seventy-five were apprehended—thus giving a heavy blow and great discouragement to juvenile mendicancy, which, happily, has never been able to raise its head since; although it cannot be said that it has been altogether suppressed.

“The police continued to deal in this summary manner with mendicant children till December 1846, when it was deemed expedient to interpose a check between them and the school, to prevent what was very likely to happen, a resort to street-begging in order to enjoy the loaves and fishes of the school. Hence the establishment of the Child’s Asylum Committee.

“During the first year of its operations the police brought in 95 children—56 boys and 39 girls; during the second year they brought in 46 children—30 boys and 16 girls; during the third year they brought in 28 children—22 boys and 6 girls; in all, during these three years, 169 children—108 boys and 61 girls.

“Before this time it had become evident that juvenile vagrancy had been so much diminished, that the industrial schools could not be maintained by the gatherings of the police, and the committee resolved to receive applications from destitute parents on behalf of their children; and during the first year of its thus acting, applications were made in behalf of 149 children—92 boys and 57 girls; during the second year applications were made in behalf of 135 children—103

boys and 32 girls; during the third year there were applications in behalf of 112 children—82 boys and 30 girls; and during the last year there were applications on behalf of 109 children—88 boys and 21 girls. Of whom, 54 boys were sent to the Boys' School; 42 boys and girls sent to the Juvenile School; 2 were referred to inspectors of poor; 10 refused as improper.

“The police still continued to bring in children, though in greatly diminished numbers; for in the fourth year the numbers brought in by them were only 12—10 boys and 2 girls; but during last year there has been a slight increase, the numbers being 17—11 boys and 6 girls: of whom 2 were sent to the Juvenile School, and 15 were delivered to their parents.

“From the above it appears that, during the five years of the committee's operations, the cases of 196 children, brought up by the police, have been investigated, and the applications of 650 destitute children have been disposed of, of whom a very large number have been sent to the industrial schools.

“Previous to admitting any child to school, answers are required to the following queries:—

“1. Name of child or children? 2. Where born, and date of birth? 3. If lawful or illegitimate? 4. If able to read? 5. Parents' names and ages? 6. Their occupation? 7. Joint wages, or income of family per week? 8. If married, and both alive? 9. Parish of birth, or legal settlement of parents? 10. Present residence, and how long there? 11. How long in Aberdeen? 12. How many children under 14 years—

their ages? 13. How many above 14—their ages, occupations, and earnings? 14. What church do parents attend? 15. If in receipt of relief, how much, and from what source?

“And if the answers are satisfactory, the child is sent to the school which (under all circumstances) appears to be most suitable. It may be noticed that the directors of the Industrial School Association reserve to themselves no power to admit any child to either of the schools, nor to veto any of the orders for admission by the Child’s Asylum Committee, though they retain the power of dismissing any child from school, if, on inquiry, there should be anything to justify removal.

“From these arrangements every possible security is afforded for the right admission to, and proper management of, the schools. But, as already noticed, juvenile mendicancy, for the prevention of which the Child’s Asylum Committee was solely established, has not been entirely suppressed. There are still begging children preying upon the public, and setting law and authority at defiance. Of the 17 last year apprehended by the police, only 2 were admissible to the schools; the remaining 15, not falling under the denomination of destitute children, were dismissed, doubtless to resume their former habits, which did not seem likely to receive any other check than a short and useless imprisonment.

“Society has surely the right to guard itself against the evil practices of these neglected children; and, having the right, it ought also to have the power; but if such power exists, it seems very difficult to tell in

whose hands it is vested. The child convicted of theft is whipped or imprisoned; but if he stole to appease the cravings of hunger which his worthless parent failed to satisfy, it is clear that chastisement has not fallen upon the proper party, and that the really guilty has profited by the vices prompted by his culpable neglect, while the whole cost has been defrayed by the public.

“It was said by the late Mr Rushton, stipendiary magistrate of Liverpool, that he had ascertained that ten such children, under fourteen years of age, had cost, in apprehension and imprisonment, upwards of £600; and, with so little effect, that all of them were then in prison, and one, only about ten years of age, lay under sentence of transportation for seven years.

“The remedy for these enormous evils appears simple and obvious. Let the committee or the magistrates be empowered to send all such mendicant children to the schools of industry, at the expense of the parent or the parish,* and let the worthless parent be punished if he neglects the sacred duty of maintaining his child, which at present he is allowed to do with impunity. In the meantime, the interests of society would be greatly advanced by discouraging, to the utmost, all public begging, which is generally used as a pretext for getting access to houses for the purpose of pilfering. And, while the Industrial School Association undertakes to receive every really destitute

* The power here desired is now partly given by Dunlop's Act; but magistrates are only permitted, not bound, to act upon it.

child, the only proper answer to the juvenile mendicant would be to tell him to go to the Child's Asylum, where his case would be inquired into, and his wants supplied. To give meat or halfpence is only to encourage the improvidence of the parent, and the vicious habits of the child."

In the year 1851, many of the managers were of opinion that it was desirable to consolidate the management of the original Boys' School and the Juvenile School, so that one set of directors should take charge of both, and one set of subscriptions be collected. There was considerable diversity of opinion as to the expedience of the step, but it was ultimately adopted, and since that time they have been superintended and managed by the "Aberdeen Industrial School Association." They have now issued six annual reports, and from them it appears that the schools fully maintain their efficiency in every respect.

In the Report for 1855-56, it is stated, that in the Boys' School there were on the roll, on 1st April 1855, 57; new names entered during the year, 54; re-admitted after temporary absence, 37; in all, 148. Of these, left for employment direct from the school, 17; removed by relations, 3; went to the country, 9; left without any cause assigned, 29; on account of temporary sickness, 12; dead, 1; and dismissed, 17*—leaving on roll, 1st April 1856, 60. Of these 60, 3 were admitted before 1852, 8 in 1852 and 1853,

* These dismissals are of children whose parents are discovered to be able to maintain and educate them, or who, on other accounts, have no right to the aid of the funds. They are not dismissed for offences.

and 42 in 1854 and 1855; 7 are under 7 years of age, 25 from 7 to 9, 16 from 9 to 11, 9 from 11 to 13, and 3 from 13 to 14; 21 have mothers only alive, 8 have fathers only; 29 have both parents alive, but 6 have been deserted by their fathers; 13 are illegitimate, and 2 are orphans. The average daily attendance was $65\frac{2}{3}$, and the total earnings, £50, 19s. 2d.

The Report of the "Juvenile School" states that the number of names on the roll, 1st April 1855, was 79; new names added during the year—boys, 24; girls, 27—in all, 51; re-admitted after temporary absence, 10. There left during the year for employment, 8; to go to the country, 2; at request of relatives, 24; without cause given, 3; sickness, 7; removed to other institutions, 3; dead, 2; dismissed, 21; and remain on the roll, 1st April 1856, 70—viz., 38 boys and 32 girls. Of these, 9 were admitted before 1852, 12 in 1852 and 1853, 44 in 1854 and 1855, and 5 in 1856. Of these, 2 are under 5 years of age, 13 from 5 to 7, 27 from 7 to 9, 23 from 9 to 11, and 5 from 11 to 13; 31 have mothers only, 4 have fathers only, 33 have both parents alive, and 2 are orphans; but 17 have been deserted by their fathers, and 10 are illegitimate. The average attendance of boys is $36\frac{3}{4}$, of girls, $42\frac{7}{12}$, of both, $79\frac{1}{2}$; and the earnings of the boys, £16, 14s. 4d., of the girls, under £2.

These statements shew that the class of children now attending the schools is the very same as that for which they were at first opened. There is, however, one important new feature in these schools. In June

1855, they were sanctioned by the Lord Advocate for the compulsory attendance of neglected vagrant children, under Dunlop's Act of 1854; and since that date, 31 children of that class have been received into the schools under warrants of magistrates. The Report goes on to state—"A few of these have deserted, as was to be expected; a few more have been removed by their parents, under the cautionary obligations required by the statute; but the majority (some of whom are paid for by parents and parochial boards) are undergoing that course of moral, religious, and industrial training so much needed in their unfortunate condition, and which the schools of the association are so well calculated to afford. As the working of this Act, however, is new, and some of its provisions will probably be amended during the present session of Parliament, the committee of management need not at present do more than refer to it as a piece of Christian legislation in connexion with industrial schools, from which much good may be expected, and the operation of which they will watch with more than ordinary interest.* It is a fact, whatever its ultimate value may be, that, since the month of February last, no child has been found on the streets of Aberdeen whose case fell within the statute."

In reply to personal inquiries, the masters of the schools state, that the children sent under warrants are neither better nor worse than the others, and that their comrades shew no disposition to look down upon

* "Go out quickly into the streets and lanes of the city, into the highways and hedges, and *compel them to come in.*"—Luke xiv. 21-23.

them as their inferiors, but regard them as in every way their equals; and most correctly, for the only difference is the accidental one of the mode in which they have been admitted to the school.

In December last, a ladies' bazaar was held for the benefit of the schools, by which the sum of £1250 was raised and equally divided, without any remembrance of former dissensions. This sum will pay off encumbrances, buy up ground-rents, and place all the schools in a more secure position than they have hitherto occupied.

Very lately, a small commencement has been made of a sort of patronage of the most destitute children; a few individuals have each selected a boy, and allow the master to expend a few shillings from time to time in procuring necessary clothes, or in paying for lodgings, when it is expedient to remove him from his parents on account of their character; suitable lodgings in Aberdeen cost about ninepence a-week.

This is at present a new experiment, but it seems likely to do good, both to the boy and to his patron; and it will probably result in an interest being felt in the child, and a kindly charge taken of him until he be fairly set afloat in the world.

CHAPTER XI.

THE DIFFUSION OF INDUSTRIAL SCHOOLS.

THE industrial schools were not long confined to Aberdeen; they rapidly spread over the country, and have now for some years been among its recognised and most valued institutions. Dundee opened its school in 1846, Edinburgh and Glasgow in 1847, and there is now at least one in almost every town of importance in Scotland. The example rapidly spread into England: Manchester had schools in 1845 or 1846; Birmingham, 1846; Newcastle and Bristol in 1847; Liverpool and York, 1848; and now they are spread over the whole country.

In all our great social movements we naturally turn to London to see how they are received, and what work they accomplish there. Our vast metropolis, the million-peopled city, stands alone and without rival among the cities of the earth, and whatever can affect its population may at once be pronounced a thoroughly effective scheme. London contains, within a circle of twenty miles in diameter, more wealth, more knowledge, more wisdom, and more active Christianity, than ever were to be found at any one time on any

other like portion of the earth's surface ; but it contains, at the same time, a mass of vice and misery almost, if not altogether, unparalleled. There, if anywhere, Good and Evil stand face to face, confronting each other, and striving for the mastery ; there the most energetic appliance of every useful agency is demanded, and nowhere is Christian energy in more healthy and vigorous operation, requiring only *extension* to enable it, by God's blessing, to overcome the great enemy.

In London, the direct agency brought to bear on juveniles is principally that of evening ragged schools, and they are well calculated to meet its peculiar circumstances. It would serve no purpose to give here details of the working of even the principal London schools. Their history is written in their various annual reports, and especially in the pages of the *Ragged School Magazine*, a record alike humiliating and encouraging, and which ought to be familiar to every one who takes an interest in our outcast population.

Lord Shaftesbury stated, some years ago, the number of neglected juveniles in London at 30,000 ; others have estimated them at double that number ; the larger number is possibly the more correct. Here was a field of enterprise, whose extent and deep depravity might well have daunted the hearts of men of less Christian principle than Lord Shaftesbury and his fellow-labourers ; but they grappled vigorously with their work, and they have been greatly prospered.

The first dawn of the London Ragged School seems

to have appeared on a Sabbath evening in April 1838, when a ragged school was opened in a room almost under the shade of Westminster Abbey. The school was of the humblest description; the pupils as unpromising and as ragged as even London could afford; and yet the labours of the devoted Christian teachers, during a few hours of the Lord's-day, unaccompanied by any care or teaching during the rest of the week, soon produced very precious fruit.*

The room was found too small for the numbers who attended, and an old stable was procured, and fitted up for their accommodation, and gradually the Sabbath-school became a day-school, and in ten years, upwards of 2000 children were educated in it.† This, however, was only a teaching school. At no great distance from it, another and far more important establishment afterwards arose—the Old Pye Street Ragged and Industrial School—the model after which most of the London schools have been organised, and a model in every way worthy of being copied. The house was originally a thieves' public-house, of the worst and most infamous description; and when converted into a school, it remained as it was, in every respect, save its filth and its sin; these were swept away, and in their room cleanliness, order, industry, Christian teaching, industrial training, and ample nutritious food were provided. The contrast was perfect; the old den of every abomination converted into a Christian seminary; the rooms formerly occu-

* *Ragged School Union Magazine*, i., pp. 11, 12.

† “ Westminster, Past and Present,” pp. 15, 17.

pied by the idle and the profligate filled by quiet industrious boys and girls, busily engaged in work and lessons.

The historians of London may yet point to this humble spot, as deserving to be had in enduring remembrance, as that where the first successful attempt was made to arrest the increase of the neglected and dangerous classes of the metropolis; and though the school has since been removed to more convenient and comfortable quarters, it would be well to purchase the site, and erect upon it a suitable monument to mark it to future ages.

The number of institutions in London, in connexion with the Ragged School Union, is 166—being 16 refuges or feeding schools, and 150 evening ragged schools. They are taught by 330 paid, and 2139 unpaid teachers—a noble band, but inadequate, in point of numbers, to the work before them. These 166 institutions have under their care the following schools and scholars:—128 Sabbath schools, 16,937 scholars; 98 week-day schools, 13,057 scholars; 117 week-night schools, 8085 scholars; 84 industrial classes, 3224 scholars; and the 16 refuges, where about 500 are fed, clothed, lodged, and educated.

It is supposed that by adding together the number of scholars at the week-day and week-night schools, a tolerably correct idea may be formed of the number actually under instruction, viz., 21,142.*

The evening ragged school is admirably adapted to the wants of London, where thousands of juveniles

* *Ragged School Union Magazine*, for February 1857, p. 21.

can make their livelihood by honest means unknown in other places, as shewn by Mr MacGregor's shoe-black brigades; and they are also well calculated to carry on the improvement of older youths who have been partially instructed elsewhere; and there are thousands attending them whose circumstances preclude their attendance during the day. But for children under twelve or fourteen, more prolonged and minute teaching and training are required than can be given in two or three evening hours, and that can only be efficiently offered to the neglected class when combined with food. It must be acknowledged that this, in London, is no easy task; but, though difficult, it is not impossible; and in some of the London schools, besides the refuges, it is partially accomplished already. Of all these London institutions, the most instructive is that known as the "London Reformatory for Adult Male Criminals," in Great Smith Street, Westminster. In it, men who have long led a life of crime have the opportunity of reformation offered to them, provided only they be sincere in their desire to quit their evil ways, and are willing to abide the test applied to them.

Experience shews that even hardened criminals often come to feel that the service of sin is a hard service, and they desire to leave their oppressive master. With some this is but an evanescent feeling, with others it is durable; and certainly no class of men more deserve encouragement and sympathy. This institution is open, provided there be room, to every criminal who desires to reform, it matters not

how hardened by years of crime and of imprisonment. The qualification for admission is unique—the greater the villain, the more welcome he is, if he only be sincere in his desire to change his ways. Each is subjected to the severe test of fourteen days spent in solitude, no food but bread and water, and no bed but the bare boards. Few, comparatively, shrink from the test, and after accomplishing it they join their comrades in the institution. If they know a trade, they are, if possible, set to work at it; if ignorant, they are taught. They are supplied, exactly as in an industrial feeding school, with food, teaching, and training, and especially with sound religious instruction; and after from nine to twelve months of preparation, they are assisted to emigrate. This institution teaches us that even the most hardened criminal may be reclaimed when truly sick of sin, and it furnishes minute information as to the manner of doing it. It has been marvellously successful, and the correspondence kept up by former inmates with Lord Shaftesbury and the teachers, gives abundant proof of how enduring the work of reformation has been.* It contains the germ of the principles, which must be applied universally if we intend to reform our adults.

It is a touching fact, that one of the murderers of the Rev. Mr Hollest applied for admission a few days before the crime was committed, and was refused for want of room. When about to die on the scaffold, he could not refrain from exclaiming, “Oh! had I only been admitted that day, I had not been here!”

* See Annual Reports.

While desirous to speak strongly in favour of ragged and industrial schools and refuges, it must not be forgotten that the machinery at work in London, and in all our large towns, on behalf of the outcast and neglected, is now very complex. There are, besides these schools, the various Christian churches actively at work, and there are ordinary schools of every kind, there are the city missionaries, and there are many moral and physical agencies besides. It does no good to exalt one of these above another; there is work for all, need for all; all are helping, and none are doing all they ought.

There is a wonderful *expansiveness* in active beneficence; no sooner has it accomplished a certain amount of good in one direction than it feels constrained to commence some other aggression on the realms of sin and misery. This has been singularly exemplified in the history of ragged and industrial schools in London. A notable instance of it is furnished by the appeal issued this month (February 1857) by the Field Lane Ragged School. "This was the first ragged school opened in London, and has been established upwards of fourteen years. Designed expressly to rescue the helpless, pitiful, and destitute class, it pertinaciously adheres to its original object, and confines its manifold efforts to the court, the alley, and the gutter. God has mercifully blessed these efforts beyond the expectations of its founders. The institution now embraces the following operations, all free of any charge:—A day school for boys, girls, and infants; secular evening schools for youths and adults; evening schools

held late for lads in employment; boys' industrial classes; a mother's class; a girl's sewing class; a night refuge for the utterly destitute, at which 20,020 berths were occupied during the past year, averaging 55 persons per night—to whom 56,612 6-oz. loaves were distributed—from the care and instruction here bestowed 212 youths and men were taken from the streets and provided for—bible schools on Friday evening, and on the Lord's-day morning, afternoon, and evening—attendance, 150 to 400—Ragged Church average attendance, 170 to 300, chiefly adults; a Penny Bank, working most beneficially." Here are no less than *sixteen* separate institutions, all eminently good, all intended exclusively for the benefit of the lower classes, and but for the establishment of the Field Lane Ragged School, not one of them would ever have existed; nor is this by any means a solitary example, though no other, perhaps, has so many distinct branches of work. It seems to be a special quality of these schools to lead speedily to one and another plan for improving and elevating the neglected, as the circumstances of the locality and the genius of the managers may suggest.

A few details of the present operations of industrial feeding schools in different parts of Britain will shew how the system has progressed. It is interesting to remark how carefully and zealously the industrial feeding schools, once established, are all maintained to the present day; for there seems to be no instance of a school of this kind, once set up, having been allowed to go down, and there can be no better proof

that their managers find they are accomplishing the work expected from them.

The Ninth Report of the Newcastle School, for 1856—

States the number of boys in attendance to be about 80, of whom 34 found employment during the year; and of 57 new scholars admitted, 4 could read imperfectly, 6 could read monosyllables, and 47 knew not the alphabet. The average attendance of girls was 75, and of these 6 went to places, 5 to work, and 6 to other schools; and 3 were transferred to the kitchen. The total expenditure for the year for 150 children was £754, 7s. 11d., being at the rate of £5 per head; but it appears from the Report that only a part of them are fed; and there is no statement of how many are fed and taught, and how many are only taught, so that the expense cannot be correctly ascertained.

Liverpool Eighth Annual Report, for 1856.

Average daily attendance of boys,	.	.	.	80
" " " girls,	.	.	.	48
				<hr/>
Total,	.	.	.	128

And of these, on admission, 46 boys and 36 girls could not read; 67 boys and 48 girls could not write. The average cost of each child appears to be about £7, 8s. a-year, of which the food costs £2, 18s., and the salaries, £2, 9s. 6d. During the year, 44 boys and 23 girls have gone to situations. Since they were opened in July 1850, 266 boys and 142 girls have obtained employment direct from the school. Last

year there was a profit of £125 on the children's work, or nearly £1 for each, a fact which is highly creditable to the management.

Bristol Ninth Report, for 1856.

In Bristol there are now five schools under the charge of the Society for Educational and Industrial Ragged Schools. Only one of these is an industrial feeding school, but they combine in accomplishing a very important work in Bristol. They have 1090 names on their rolls, and an average daily attendance of 752. The most remarkable circumstance in connexion with these schools is this, that of the whole 1090 scholars on the roll, only *one* was imprisoned for any offence during the last three years—a fact well nigh incredible to any one who knows the lowest population of Bristol, and sufficient proof of the efficient manner in which the schools are conducted.

The school which furnishes food is that in Pennywell Lane, and the average number on roll is 35. The total expense per head is £11, 6s. 10d., of which, for food, £6.

An industrial school for girls was opened at Dowry Parade, Clifton, in 1852, where “22 girls, from 6 to 12 years of age, have been rescued from vice and misery, and are gradually becoming docile, obedient, and orderly; and, what is more, many of them have given tokens that their hearts are influenced by the Christian principles that have been instilled into them.”
—(*Report for 1855.*)

Manchester Tenth Report, for 1856,

Average attendance, . . .	89	
Admitted since opening, boys, . . .	655	
" " girls, . . .	337	
	<hr/>	992
Of whom returned to beg, . . .	128	
Removed to Swinton, . . .	70	
Left the town, . . .	114	
Gone to work, . . .	370	
Dead, . . .	12	
Gone to other schools, . . .	73	
Left without reason, . . .	132	
Now on books, . . .	93	
	<hr/>	992

The annual cost, per head, since opening the institution has been £6, 2s. 7½d.; and the cost, per head, for food last year was £3, 6s.

The Birmingham School Sixth Report, for 1856.

This school is both for inmates and day scholars. By the last Report the numbers were—

Inmates, . . .	95	viz.,	62 boys,	33 girls.
Day scholars, . . .	116	"	82	" . 34 "
	<hr/>		<hr/>	<hr/>
Total, . . .	211		144	67

The food costs £4, 3s. 9d. per head, and the teaching and servants about £3, 7s. 10d., but part of this must be charged to the Day School. The Report does not shew the expense of each child.

York Industrial School—Eighth Annual Report for 1855.

The total number on roll during the year was

47 boys and 38 girls; total, 85. The average daily attendance of boys was 32; of girls, 21; total, 23—and 223 have passed through the school since it was opened in 1847. The total expense, per head, was £6, 12s. 9d., of which, for food, £2, 18s., and for salaries, £2, 2s. 6d.

Edinburgh Original Ragged and Industrial School
—*Tenth Report for 1856.*

Average number on roll,	257
Average daily attendance,	228
Average attendance on Sunday,	200
Average number of sick,	10

Number in Boys' School on 1st January 1857, 100, of whom 76, on admission, could not read, and 93 could not write. Number in Girls' School, 64; of whom, on admission, 52 could not read, and 63 could not write.

In the Infant School there are 83. 12 of the boys are employed in tailoring, 5 at shoe-making, 5 carpentry, 5 brace-making, 39 box-making, and 34 younger boys teasing hair, and other simple works. The balance on work account is £18, 8s. 7d. in favour of the school, but on the tailoring, shoemaking, and carpentry, the balance is against it. The box-making shews a profit of £16, 16s. 7d. During the year, 45 pupils were sent out to situations, 33 boys and 12 girls; all of the latter to domestic service. Since the schools were opened, 434 have gone to situations; and, last December, the old pupils in Edinburgh were invited to meet the directors. 150 appeared and spent a most happy evening, all of them doing well in the world, and some of them earning as much as 20s. per

week of wages. From the number of infants attending this school, it is not possible to ascertain the exact cost, per head, of boys and girls. The food for the whole comes to £3, 9s. 6d., and the total expense to £8, 9s. per head.

*Edinburgh United Industrial School—Ninth Report,
December 1856.*

The total number of children on the roll, 114; of whom boys, 79, girls, 35. During the year, 37 boys had gone to situations, and 17 girls to domestic service, in addition to 163 boys and 124 girls previously reported; in all, 200 boys and 141 girls, since the school was opened. The cost for food is £3, 9s.; for teaching, £1, 15s.; and the total, £8, 12s. 9d.

In this Report there is a loss stated of £76 on work; but it is probable that, though a loss to the funds, it may be profitable to the pupils.

From the prison returns, as quoted in the last Report of the Original School, it does not appear that these schools are accomplishing their work so thoroughly in Edinburgh as they have done in other places.

With regard to the effect of the schools on crime, the following statement shews the number of commitments to the prison of Edinburgh of criminal prisoners, for four years ending 30th November 1856; the number of those under 14 years of age, and the number between 14 and 16 years of age:—

Dates.	Total Commitments.	Juveniles under 14.		Numbers between 14 & 16 years of age.
		Total.	Centesimal Proportion.	
1853	5872	117	1.9	295
1854	5339	103	1.9	253
1855	4304	81	1.8	142
1856	4247	137	3.2	134

The above returns were accompanied by the following letter:—

“Prison of Edinburgh, 9th January, 1857.

“DEAR SIR,—I beg to enclose a state of the commitments of juveniles to prison for the four years ended 30th November last, from which you will observe with regret that there is a very serious increase during the last of these years.

“I have been sorry to have to report, for several years past, that the influence of ragged schools on the commitment of juveniles had ceased to be progressive. I trust that measures will be adopted to promote and maintain the efficiency of the existing schools, and to increase their number sufficiently to meet the growing necessity for them.—I am, &c.

“J. SMITH.

“JOHN WRIGHT, Esq., W.S.,
Secretary to the Original Ragged Schools.”

The cause of this is abundantly obvious. Although most efficiently conducted, two schools can never overtake the work required in a town of 160,000 inhabitants. It is physically impossible for all the children to go the distance betwixt their own homes and the schools; for several of the most destitute

localities of Edinburgh are more than a *lang Scotch* mile from either establishment. Edinburgh ought to have at least six or eight separate establishments; and to this conclusion the prison governor, Mr Smith, has evidently come, in his letter quoted above.

The original school has, in its present number of scholars, material to form three new schools at once; and in its committee a sufficient number of gentlemen actively to superintend half a dozen.

The Dundee Schools—Ninth Report, 1856.

The number of boys in attendance was 72, and of girls 34; total, 106; and the average expense of each, £9, 15s. per annum.

During the year, 18 boys and 12 girls left for situations; and from the opening of the schools, in 1847, 101 boys and 78 girls have found employment direct from school. The weekly cost for food per head is 1s. 6 $\frac{2}{4}$ d., or less than threepence a-day.

Of the 78 boys, 65 were unable to read, and 68 were unable to write, on admission; and of the 34 girls, 31 were unable to read, and not one could write. The remarkable effect of these schools on crime in Dundee is noticed in the succeeding chapter.

Perth Boys' School—Thirteenth Report, 1856.

Since this school was opened, 191 have been admitted, of whom 62 were orphans, 70 were fatherless, and 23 motherless. 52 were on the roll at the date of the Report, and 16 during last year found employment. The annual expense is nearly £7 per head.

Perth Girls' School—Thirteenth Report, 1856.

The average attendance during the past year was 43; and the average cost, £6, 7s. Since this school was opened, 122 children have been admitted, of whom 12 are dead, 40 now earning their own livelihood, 21 returned to their old homes, 5 are married, 4 are with respectable relatives, and 40 remain at school.

In both these schools, a number of the children are maintained by their respective parishes; nearly half the income is derived from this source.

Glasgow Industrial School—Report 1855-56.

This is one of the schools sanctioned under Dunlop's Act. The average number in attendance during the year, not under warrant, is about 50 boys and 30 girls; and, during the year, 48 procured situations. Under warrants, there were 62 boys and 34 girls—in all, 96; of whom 1 only escaped. Of these, 32 boys and 22 girls were under 10 years of age. Of the 96, there were 64 who could not read at all, 23 very imperfectly, and 9 tolerably well; 84 could not write; 31 boys and 20 girls had no recollection of even having been in a place of worship; and of the 34 girls *not one had been taught to sew.*

The Report states, "Special inquiry has been made regarding the boys who have left the institution, and in almost every instance they have been found conducting themselves to the entire satisfaction of their employers." 78 are reported as known to be engaged in various remunerative occupations.

Arbroath Industrial School—Third Report, 1856.

This school was opened, in 1854, with 8 scholars, and increased to 41 before the end of the year, to 48 at end of second, and to 53 at end of third—viz., 35 boys and 18 girls. The average attendance is nearly equal to the number on the roll. Of the 53, on admission, 40 were ignorant of the alphabet, 4 knew their letters, and 9 could read a little—and not one could write; 16 are from 6 to 8 years of age, 27 from 8 to 10, and 10 from 11 to 13; 20 have dissipated parents, 10 have mothers only, 7 deserted by father, and 6 are illegitimate.

This is a remarkably well-conducted school, and deserves to be held up as a model. The small number of scholars probably contributes much to this result, since it is easy for managers and teachers to control it in every way. The expense incurred per head is particularly worthy of notice. For the year 1854-55 the cost for food was £2, 0s. 1d. for each, or 9¼d. per week; and for 1855-56, notwithstanding the higher price of provisions, it was only £2, 2s. 4d., or 9¾d. per week. The average total cost for each child, including food, teaching, and training, was, last year, £3, 19s. 9d., or very nearly 1s. 6d. per week. The only industrial trade taught is shoemaking, which is found to *cost* about 6¼d. a-week for teaching each boy the rudiments of a trade by which he may support himself. From the school, 21 seem already to have gone to industrial employments, and one has got into Perth Prison.

It is superfluous to give further details of the same

kind. Those now produced prove incontestably that the industrial feeding schools, wherever tried, do what their promoters promised for them, they reclaim a large portion of the children trained in them, and put them in the way to maintain themselves by honest industry; and they prove also, that they can do this at far less expense than is required for the same children either in a prison or a poor-house.

They prove, moreover, that there is a steady supply of neglected juveniles coming forward yearly to require their care, and examination of the minuter details proves further, that in each school the children are still derived from the self-same class of miserable neglected little beings, as when it was first opened.

CHAPTER XII.

INDUSTRIAL FEEDING SCHOOLS TESTED.

THERE are two tests which may fairly be applied to ascertain the effect of Industrial Feeding Schools; the one is drawn from the change, if any, on the number of juveniles annually committed to prison, or apprehended by the police, within the district affected by the operations of the school; and the other is the number of young persons who have annually gone from the schools to industrial employments; both are most valuable, and perhaps the latter is the more important of the two, though it is not so easily obtained.

If it appear that juvenile crime and vagrancy diminish contemporaneously with the establishment of the schools, and if they vary in proportion to the attendance, then this proof seems to be conclusive; and such is the testimony fully and fairly given by the Aberdeen schools.

Before the opening of the first school, it was ascertained, as has been already stated, that “there were in Aberdeen 280 children under 14, who maintained

themselves professedly by begging, but partly by theft, of whom 71 were committed to prison during the previous twelve months for crimes of one kind or other."

Since the schools have been in full operation, this class of children has *almost entirely disappeared* from the streets of the city; a juvenile mendicant is almost unknown. Of course, in a commercial and manufacturing seaport, with a population of upwards of 70,000, it is impossible to prevent the occasional arrival of stranger juveniles, and, with all the mischievous influences which are daily at work upon our lowest classes, it would be too much to expect that any preventive process, however good, could altogether and entirely eradicate the evil; and yet it may be confidently stated, that since the opening of the industrial schools, the *native* race of juvenile thieves and vagrants has almost wholly vanished, and the exceptions which occur are such as only to prove more clearly the efficiency of the system.

When a beggar child now appears, his career is speedily cut short. He is conveyed to the Child's Asylum, and from thence to the school most suited to his years and circumstances; he is put into the right path, and the public is relieved from his annoying importunities and petty depredations.

The results from the Juvenile School have been peculiarly satisfactory, for its operations are most strictly confined to the veriest outcasts of the population. The *first* year that school was opened, there were many removals and desertions; and of the deserters *six* are

known to have been committed to prison; but for five years after the full organisation of the school, *not one* child, who had been in attendance there, is known to have been in prison or in the hands of the police. During all that time, from 85 to 105 children were in constant attendance at this school, and from them *not one recruit* went to join the ranks of criminals, although they are the very children who formerly furnished the annual unfailing supply; while about 70 of the children were placed in permanent situations, and are now self-sustaining, and reported to be "doing well."

The following table exhibits the annual numbers of juvenile commitments to the prison of Aberdeen from 1841 to 1856.

12 years of age, and under.

	Boys.	Girls.	Both.	Town.	County.	Strangers.
1841	... 41	... 20	... 61	... 16	... 12	... 33
1842	... 22	... 8	... 30	... 16	... 3	... 11
1843	... 53	... 10	... 63	... 27	... 25	... 11
1844	... 31	... 10	... 41	... 29	... 4	... 8
1845	... 42	... 7	... 49	... 34	... 5	... 10
1846	... 25	... 3	... 28	... 18	... 2	... 8
1847	... 25	... 2	... 27	... 8	... 7	... 12
1848	... 13	... 6	... 19	... 9	... 6	... 4
1849	... 11	... 5	... 16	... 12	... 1	... 3
1850	... 14	... 8	... 22	... 11	... 8	... 3
1851	... 6	... 2	... 8	... 4	... 3	... 1
1852	... 23	... 1	... 24	... 13	... 4	... 7
1853	.. 24	... 1	... 25	... 8	... 12	... 5
1854	... 47	... 2	... 49	... 14	... 24	... 11
1855	... 34	... 3	... 37	... 24	... 7	... 6
1856	... 34	... 9	... 43	... 29	... 14	... 0

Another return, furnished by the rural police of the county of Aberdeen, also tends to throw light on the working of the schools.

It was a well-known fact, that children were sent out by worthless parents to wander *alone* through the county, supporting themselves by begging and petty thefts; and that still greater numbers were employed to accompany their parents, so as to add force to their claims for charity; and that some were even lent or hired out for the purpose to those who had no children of their own of a suitable age.

Instructions were given to the officers of the rural police to return the numbers of children they encountered as correctly as they could; the returns cannot, from the nature of the case, be absolutely accurate; the same children may be met by one policeman while in company with adults, and by another when sent off alone; but they are of value, as giving a certain amount of information at least approximating to the truth. The following is the return for sixteen years:—

Year.	Juveniles in company with Adults.		Juveniles alone.
1840-41	328	.....	27
1841-42	272	.....	57
1842-43	370	.....	77
1843-44	302	.....	60
1844-45	302	.....	65
1845-46	250	.....	14
1846-47	211	.....	6
1847-48	225	.....	6
1848-49	239	.....	1
1849-50	260	.....	2

Year.	Juveniles in company with Adults.	Juveniles alone.
1850-51	170	4
1851-52	258	8
1852-53	585	21
1853-54	456	17
1854-55	416	8
1855-56	297	9

These tables give very remarkable evidence as to the effect of the industrial schools on the juvenile criminals of Aberdeen.

The first school was opened in October 1841, and that year there were 61 imprisoned, for the school had not been in preventive operation. In 1842, however, the school was in full work, and the number imprisoned fell to 30, less than one-half of the number of the previous year. The number rose again, in 1843, to 63—and why? Because want of funds constrained the managers to dismiss the greater part of their pupils, who soon made their appearance in the prison cells. In 1844 the school was again open to all, and the number of criminal children fell again to 41. Is it possible for cause and effect to be shewn more clearly. Exclude the children from the school, and crime increases; admit them, and it diminishes. From the year 1845 to 1851 the juvenile criminals continued to decrease, and in the last-named year reached the minimum of 8—viz., 6 boys and 2 girls. In 1852 and 1853 they began to increase; and, in 1854, reached 49. This fact naturally attracted attention, and a committee of the Aberdeenshire Prisons Board was named to investigate the cause. Two

reasons soon came to light. A number of the children had been removed from the schools, after having been there for a very short period, and employed to earn wages, notwithstanding their tender years. As there was then no law to enforce detention at school under any circumstances, this evil could only be deplored; it could not be prevented.

The other reason was more remarkable. Certain members of the thieving profession took a practical lesson from the industrial school system, and established schools on precisely the same model in every respect, save the end to be attained. The industrial schools try to make the children good—these institutions were only intended to make them bad. They fed a large number of children, they procured lodgings and clothes for them, and they used the influence thus obtained over them to train them up as thieves, and they sent them out to steal for their employers' benefit, pointing out to them where property was likely to be obtained, and how they might most easily possess themselves of it; in a word, these establishments *were training schools for the purpose of initiating and improving thieves in their profession, and preparing them to carry it on with profit and safety to themselves and to their employers.*

The following extract letter from the respected chaplain to the author, as Chairman of the Board, gives a distinct but most melancholy statement of the system pursued:—

“East Prison, Aberdeen, Feb. 23, 1855.

“DEAR SIR,—In replying to your letter of the

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19th inst., in reference to the increase of juvenile delinquency and crime, let me notice two of the more prominent.

“One fearful and fertile source is parental neglect, arising from drunkenness, improvidence, and ungodliness; ending, in many instances, in the heartless desertion of the family by the unprincipled father, whose duty it was to support and provide for them—thus leaving them in poverty and wretchedness.

“The other to which I allude, is the facility with which young thieves are enabled to dispose of their stolen property, by handing it over to ‘the reset,’ or directly to the pawn-shop. ‘Take these away,’ say the poor little boys and girls, ‘and then there would be no use of our stealing, because then there would be nobody to receive our stolen articles.’ For instance, several of the boys imprisoned some time ago had been stealing lead and brass to a considerable extent. They told me that they got the articles easily disposed of, receiving sums varying according to weight—sometimes one shilling, two shillings, and three shillings. The man who bought the articles was always glad to see them, and to deal with them when he was quite alone, for he knew that what he was receiving from them was stolen property. And what can be expected of such boys, as long as they find resetters and purchasers of their stolen articles?

“Again, a woman who has been employed in this nefarious practice for some time past, is at present in prison, and will be tried, I suppose, at the ensuing Spring circuit. She had a shop somewhere about

———; in addition to this, she had a room in the ———, to which the boys resorted, where, they say, they were fed, and clothed, and sheltered. One boy, at present in prison, was with her for six months, continually stealing; and I shudder to state that this boy and others, fourteen and fifteen years of age, were, they say, in the frequent practice of sleeping with the woman herself.

“I may also state, that a man and his wife, at present in prison—sixty days, for reset—and who have been previously imprisoned for theft, here and elsewhere, have been in Aberdeen for more than a year, initiating, I fear, and encouraging boys and girls in the arts of thieving. Of course the man denies it; but he declares that he knows that there is more done in the way of thieving, in every possible form, in Aberdeen than in Edinburgh, and that the stolen articles are not disposed of among the brokers here, but sent by the railway to Dundee, and the value remitted in a Post-office order. Several boys who were liberated from the general prison during the year 1854 became acquainted with them on their return, and went regularly to this man's house, in ——— Close, with their stolen articles. (The chaplain gives the names of sixteen boys, besides several girls, who formed this party.) They stole coats, gowns, trousers, knives and forks, flower-pots from staircases, and any articles they could pick up. S—— tells me, that one night, when nothing was brought in, at the bidding of the infamous man, he stripped off his new jacket and shoes, which he had received when he left Perth, and

that the man sent his wife with them to the pawnshop, along with a coat and pair of trousers belonging to T——.

“This man has also been teaching them to steal poultry; and in this line they have been very successful. The keepers of certain eating-houses in the G—— purchase the hens, and give a shilling for each.

“I am, &c.,

“DANIEL BAXTER.

“To ALEX. THOMSON, Esq., of Banchory.”

Mr Chalmers, the governor of the Aberdeen prisons, thus alludes to the same subject, in his Report for 1854:—

“From circumstances which have lately come to light, I believe that, for some time past, the benefits conferred on those children who have been attending the industrial schools of Aberdeen have been, to a great extent, counteracted by an organised system of what I may call ‘Training Schools’ for young thieves, to which they are enticed to resort by old and experienced criminals, who treat them with some trifling luxuries, supply them with lodgings, instruct them how and what to steal, and receive and dispose of the stolen property. Whilst such a state of things exists, juvenile delinquency will go on increasing.”

In a memorandum sent to the chairman, in answer to inquiries, he further states, in reference to the woman referred to in the chaplain’s letter, that—

“The wife of a broker, who has been several times in prison, for reset of theft, encouraged boys and girls

to steal, had part of a house taken in a different quarter of the town from her own residence, where she used to meet the young thieves, and get from them the articles stolen. She is said to have held tea-drinkings with the thieves, where they arranged their plans. She also provided beds for them in different localities. It is understood that a tailor was regularly employed by her to metamorphose any articles of clothes stolen. Thirty or forty attended her parties.

“An old thief also carried on a similar system. Fifteen boys were found in his room one night by the police. He and his wife were frequently convicted.”

It is not easy for the managers of industrial schools to make way against this competition, for such rival schools hold out many strong temptations to little outcasts to prefer them. Happily the teachers of them were at last convicted and transported, at least, sentence of transportation was passed, and they have not again appeared in Aberdeen; but they were punished for simple offences against property, and not for the atrocious crime of leading multitudes of little children into the ways of iniquity.

The number of juvenile offenders began to diminish as soon as these two establishments were broken up; but years must elapse before the whole effect of this training disappears from the prison records.

When the large increase of numbers in 1854 became known, those who had ever looked on the industrial schools with a jealous eye were ready to exclaim

that they were all a delusion; that they did no good, but only gave a great deal of trouble; while their best friends and supporters, though confident of the soundness of their principles, felt perplexed and alarmed, fearing that though the principles were incontrovertibly good, they might have committed errors in applying them. The discovery of the thieves' schools at once relieved their anxiety, explained the whole mystery, and justly placed the industrial schools higher than before in public estimation.

The number of female criminals under 12 years of age in the prison-table deserves special notice. In the year 1841 it was 20; it gradually fell till 1852 and 1853, when it reached the minimum of *one*; it rose in 1854 to 2, and in 1855 to 3; but for 1856 the number is no less than 9. Of these, however, there is only *one* sent to the prison of Aberdeen, six were imprisoned in Fraserburgh, and two in Peterhead. These small prisons being under the charge of the Aberdeenshire Prisons Board, all their criminals are included in the county returns.

These facts further corroborate the arguments in favour of industrial schools. In these towns there are no industrial schools, and therefore they possess female juvenile delinquents. Last year Aberdeen, with nearly 80,000 inhabitants, and 4 industrial schools, furnished *one*; Peterhead, with 9149, and no industrial school, furnished *two*; and Fraserburgh, with 4147, and no industrial school, no less than *six* female juvenile delinquents.

It is now legal to send outcast children to any

sanctioned industrial school; and it is to be hoped that the local county authorities will soon come to think that it is far better to send such offenders to school in Aberdeen, than to commit them to prison at home.

The results in Dundee have been equally satisfactory with those in Aberdeen, as is shewn by the following tables furnished by the prison and police authorities :—

I.—RETURN OF THE NUMBER OF JUVENILE OFFENDERS, 14 YEARS OF AGE AND UNDER, APPREHENDED BY THE POLICE IN DUNDEE, DURING THE UNDERMENTIONED PERIODS.

Years.	For Theft.	For other Offences.	Total.
1846	120	92	212
1847	110	60	170
1848	100	97	197
1849	62	29	91
1850	59	16	75
1851	56	12	68
1852	50	11	61
1853	47	13	60
1854	61	29	90
1855	57	15	72

NOTE.—During the year (1855), 11 of the above were sent to the industrial schools, from the Police Office, all of whom were accused of theft.

D. MACKAY,
Superintendent of Police.

POLICE CHAMBERS,
Dundee, 12th December 1855.

II.—RETURN OF PRISONERS COMMITTED TO THE PRISON OF DUNDEE FOR THE TWELVE MONTHS ENDING 24TH NOVEMBER 1855, SHEWING THE CENTESIMAL PROPORTION OF JUVENILES UNDER 14 YEARS OF AGE.

Years.	Total Number of Commitments.	Number of Juveniles under 14 years of age.	Centesimal proportion under 14 years of age.
24th November 1854, to 24th November 1855.	1505	57	3 $\frac{1}{2}$

This return was accompanied by an interesting letter from Mr Cruickshank, the prison governor, of which the following is an extract:—

“While I doubt not that the partial suppression in the meantime of intemperance on the part of parents has contributed to keep children from destitution and crime, and from the prison, at the same time the Industrial School for Juveniles—like the enlistment for adults—has, in my opinion, been the chief agent in rescuing from misery many neglected children, a number of whom, I have no doubt, would otherwise have become inmates of this prison. There have not been many juveniles sent to the Industrial School this year, on liberation from this prison, as there were few of the class in custody who required to be thus provided for. However, there have been several sent, some of whom I am aware are still in the school, in place of being back to prison. At the present time there is only one out of the whole number in custody under fourteen years of age. I embrace this oppor-

tunity to record my thanks for the readiness with which juveniles recommended by me have been received into the Dundee Industrial School."

The following prison statistics shew at a glance how crime in Dundee has been affected by the industrial schools:—

III.—RETURN OF PRISONERS COMMITTED TO THE PRISON OF DUNDEE DURING THE THREE YEARS PRECEDING THE ESTABLISHMENT OF THE INDUSTRIAL SCHOOLS IN DUNDEE, AND SUBSEQUENT YEARS, SHEWING THE CENTESIMAL PROPORTION OF JUVENILES UNDER 14 YEARS OF AGE.

Years.	Total Number of Commitments.	Number of Juveniles under 14 years of age.	Centesimal proportion under 14 years of age.
1844	849	88	10 $\frac{1}{2}$
1845	1178	90	7 $\frac{1}{2}$
1846	1377	113	8
1847	1442	88	6
1848	1485	77	5
1849	1519	79	5
1850	1441	54	3 $\frac{3}{4}$
1851	2115	99	4 $\frac{1}{2}$
1852	2048	89	4 $\frac{1}{4}$
1853	1941	74	4
1854	1887	92	5
1855	1505	57	3 $\frac{3}{4}$

The second test which industrial or ragged schools ought to furnish, is in the numbers of children who go from them to industrial employments, and who continue to support themselves by honest industry. Here, from the nature of the case, there can be no clear statistics. If the children do well, they are absorbed in the general population, and cannot, without special inquiry, be recognised; and they are, from their circumstances, more likely than other children

to migrate in search of employment. Thus, in Aberdeen, many of the boys go to sea, and cannot be traced; but one is known to have had his share in the capture of Sebastopol, and created no small sensation among his old teachers and comrades when he appeared in his smart uniform, with his good-service medal.

It can be safely said in general, that of those who have been kept in sight, and who have been *fully* educated and trained at these schools, the vast majority are doing well; in fact, not more than two or three are known to have become confirmed criminals; and this is quite as much as can be expected.

It must be remembered that there is no *witchery* in an industrial school which will render those who have had merely the attendance of a few weeks or months proof against crime. It would be altogether unfair to charge such cases against the industrial school system. They may have the name of industrial school children, but they have not had their training. It would be quite as fair to say that our great public schools cannot teach Greek and Latin, because boys who have been there for a few months do not understand the one or the other. The right view of the value of industrial schools is to regard them as places where so many hundreds of outcasts are kept for the time from crime, and fed, and taught, and trained, and as far as man can do it, prepared for honest lives. Tables of well-doing men and women there trained, per centages of the good, the doubtful, and the bad, can by no possi-

bility be given; and to ask it of industrial schools, is to demand of them more than is asked of other schools. But with them, as with other schools, the managers know of individual cases of well-doing, and can trace with joy the progress of many a one from step to step, in honourable, though it may be humble life, just as the master of the village school marks in his mind the progress of his quondam favourite pupil to well-earned distinction at the public school, at the university, and in the struggle of the great world; while he loses all sight of the less distinguished.

The facts as to diminished juvenile crime prove that somehow there are fewer criminals; the blameless progress of many—blameless so far as criminal law is concerned—proves that those who were on the highway to crime, or had actually commenced, may be, and have been, turned into the ways of peace; and the proof is completed by the number of commitments of those who have been only a few weeks or months in training; they have only been permitted or encouraged to follow the course of their natural inclinations, from which their more fortunate comrades have been turned away.

The promoters of industrial schools have never held out to the public that they were to work miracles, or to perform impossibilities; they never professed that they could eradicate all the evils of a neglected child's nature, by merely inscribing his name upon their rolls, and affording a few weeks of plain food and elementary teaching; but they did profess, that if the

outcast children were suitably fed, and taught, and trained for a sufficient length of time, then, by God's blessing, a great inroad would be made on the number of juvenile offenders, and this they have fully performed.

CHAPTER XIII.

PRINCIPLES OF INDUSTRIAL FEEDING SCHOOLS, AND RULES
FOR THEIR ESTABLISHMENT AND MANAGEMENT.

REGARDING it as now demonstrated that the best mode of dealing with the outcast juvenile and incipient criminal, is by means of industrial feeding schools, the important question at once occurs, on what principles are they to be established, and by what arrangements are they to be carried out? Error in the principles, or blundering in the arrangements, must be injurious, perhaps fatal, to the whole enterprise.

All children bring one nature into the world; some are more beautiful, more engaging, than others; but essentially they are all the same, the descendants of fallen Adam. The whole purpose of God's dealings with man, from the fall to the present hour, has been to bring back his wayward, erring children to himself. This has been the end and object of the various dispensations He has established on earth; and the work which man has to do in preventing crime, is to make use of the various means which God has appointed, and apply them all faithfully and diligently.

The same principles, though not the same details, must be employed for the godly upbringing of the

child of a peer and the child of a pauper. What do little children require? Food, shelter, clothing, education. Without the three first, their earthly career will be very brief; and without the last, it will be very useless or very mischievous. No one will dispute the necessity of the three first to all, varying according to rank and circumstances; but in whatever form, still simply, food, shelter, and clothing. The last, education, is now admitted to be indispensable to all; but though there be this harmonious agreement as to its necessity, there is marvellous diversity of opinion as to what education is. Men are tolerably well agreed as to the word, but they greatly disagree as to its signification. One very common notion is, that if a child be taught reading, writing, and arithmetic, then he is educated. This is a complete mistake; these acquirements are only means to an end, and unless the child be further taught how to employ them, he might as well, or perhaps better, have been spared the trouble of learning them. A boy may be taught to read, and only use his power to read bad books, which poison his soul; he may use his power of writing to commit forgery, and his skill in arithmetic to falsify accounts. These arts are, nevertheless, *essential* in the present day; without them none can maintain a respectable place, even in the lower ranks of society; but they do not constitute education.

What, then, is education? To educate a child, in the true sense of the word, is to cherish and give a right direction to every power and faculty of body, mind, and soul.

This definition of it includes teaching the necessary arts already named; but it includes much besides, and of much more difficult achievement.

Food and clothing, shelter, and active, joyous exercise, will suffice for the body, and if only placed within easy reach, will, without fail, be willingly turned to their proper use by every child. It is far otherwise with the educating of the mind and soul. There the pristine beauty has been defaced, and what was originally straight has been made crooked; and the heart of a child naturally rebels against endeavours to remedy the evil; they are wholly distasteful to it.

God has established one great institution for training children — *the family* — with all its duties, its privileges, and its endearments.

In a well-ordered Christian household the right training of children goes on smoothly and vigorously, while the most valuable part of it is accomplished without direct effort, by the marvellous influence of mind upon mind, and heart upon heart. How different the circumstances of the outcast juvenile and the child of wicked parents; they have no Christian love and tenderness brought to bear upon them, while evil influences of every description are pressing them into, or detaining them in, the broad way which leads to destruction! If we are to do them effectual good, we must follow the plan so clearly indicated by our heavenly Father, and endeavour to provide for them a system of training which shall, as nearly as possible, supply what they have not, the blessing of a Christian home.

This is the principle on which industrial feeding schools are founded, and it is that which must be ever kept in view in their daily management.

The circumstances of the various children in the same industrial school may be considerably diversified. They are not all equally destitute; some require to be clothed and lodged, as well as fed and taught; others are at least partially clothed, and many probably may lodge at home. One thing all need, and all soon appreciate, though it is to them a new thing, and that is considerate kindness; this alone it is which gives the teachers power over the children, wins them over to confidence and love; and this must be in ceaseless activity, else no good can ensue. Considerate kindness implies steadfast, immoveable firmness; the most wayward outcast speedily feels its power, and gradually submits to its influence. After true religious principle, it is the most important of all qualifications in a teacher, and without it the best principles will wholly fail; an unguarded threat, or a rash blow, will undo the work of months.

The buildings appropriated to an industrial feeding school ought to be of the plainest and cheapest description; if new, everything should be solid and durable, but without ornament; if old, they must be at least substantial; and whether old or new, must be thoroughly clean, well ventilated, and well drained. They must stand amidst the children who are expected to attend; if at a distance they are comparatively useless. A spacious play-ground is indispensable,

and if possible, a moderate space of garden-ground is highly desirable.

No school ought to be capable of containing more than from 60 to at most 100 scholars. Whenever the attendance gets above 100 open another school; the additional expense will not much exceed the rent of the school-room, for the additional teachers and attendants will be absolutely necessary either in the old or the new.

The great instrumentality at work in an industrial school is the influence of the teacher's mind upon each pupil; extend the numbers too far, and this becomes so diluted as to have little or no effect. There must be much more close, constant watching of conduct, and studying of character, than in an ordinary school; and this is wholly inconsistent with very numerous attendance. It must never be forgotten that the children in these schools receive all their moral training in school,—they get none at home; and this is one of the essential differences between them and the pupils in common day schools; therefore, there ought to be more of moral influence brought to bear daily and hourly on the scholars.

Personal cleanliness is one of the first lessons to be taught in the school; and it is not usually very palatable, but after a few days it ceases to be disliked. Clean hands and faces, and smooth hair, ought to be strictly insisted on; and if not brought to school, must be effected there before entering on the duties of the day. A very ingenious shower-bath was fitted up in one of the Edinburgh schools, under which the

boys marched, or rather ran, in single file, so that each got a thorough washing. It was rather an object of alarm at first, but very soon it came to be considered as a capital frolic. It must be used with discretion, neither in very cold weather, nor with sickly children.

The duties of the day must commence with religious exercises, reading a suitable portion of God's Word, praise, and prayer. Without God's blessing, the work of the day will be of little value; and teachers and taught should join together in imploring it. The service must be simple and short, for no other would be suitable; but it ought to be gone about as the most solemn work of the day; and on the acceptable performance of which the success of all the rest must depend.

The food is an *essential* part of the system, and to furnish it, is neither so difficult nor so expensive as those who have never tried are ready to suppose. It insures regular attendance without further trouble; it enables the pupils to profit by their lessons, and to apply to them with vigour, which no child suffering under the pangs of hunger can possibly do; and it is felt by the children to be real, substantial kindness. It is also truly acceptable to the parents, to whom it indirectly affords assistance in a form which they cannot easily misapply. The food ought always to be nourishing, and neatly served; but it ought on every account to be plain and cheap; as nearly as possible such as is in daily use in the houses of the prudent industrious workmen of the place; and, therefore, what the children are likely soonest to be able to pro-

cure for themselves by their own industry on leaving school. This will always be the cheapest, and in general, the most suited to the locality; but it will vary in different parts of the country, and each school ought to adopt the dietary which is found to be most suitable for itself. The substantial oatmeal porridge, with milk in abundance, which furnishes the cheap breakfasts and suppers in Scotch industrial schools, would be far too costly in London, and probably not acceptable to the children.

The education to be given must include the ordinary branches of reading, writing, and arithmetic; and it ought also, as far as possible, to teach *common things*—a matter of the highest importance to all—though hitherto most strangely neglected, even in schools for the higher classes. Geography, and the leading facts of natural history, illustrated by maps and diagrams, and outlines of civil history, are eagerly learned, even at a very early age. The great thing to be kept in view in these, and, indeed, in all schools, is, so far as possible, to impart to the pupils the power and the desire to add to their knowledge so long as they live; this is the true end of all teaching. The true test of the value of a school is, not so much what is there actually taught, as what that teaching enables and induces the pupil in after life to learn for himself.

It is very unfortunate for the cause of our outcasts that the question of their religious training has been made the subject of keen controversy. Religion is the essential part of the whole system, and if it be

neglected, all the rest can profit little. Other systems and modes may produce decent, respectable, external conduct, but they leave the heart untouched. The ground-work of the whole system of teaching and of training in industrial schools must be the *Bible*—the revealed Word of God—by which alone either rich or poor can be made truly wise, either for time or for eternity; and it is well that this be distinctly recognised from the first, both as a due acknowledgment on the part of a professedly Christian nation, and for the practical purpose of preventing public money being worse than wasted in aiding schools, if the zeal of the Infidel party should ever lead them to attempt to train up neglected juveniles in the way in which they *ought not to go*; it ought to be at once resolved, that no public aid shall be given to any school from which the Word of God is excluded.

Some zealous friends and supporters, who hold voluntary principles, object conscientiously to the children being brought up as members of this or of that particular Church; and from this, by some mysterious and most illogical process, they arrive at the conclusion that the Bible should not be used, nor religious instruction given in the schools. It ought to be remembered, that up to the age at which the children commonly leave these schools, the very idea of a difference betwixt one Christian church and another has not begun to enter into their minds. The sole object of the religious training ought to be to make them Christian children; and, at a later period of life, they will decide for themselves to what denomi-

nation they are to belong. Every right-hearted Christian must rejoice in seeing neglected juveniles brought to the knowledge of their duties to God, their neighbour, and themselves; and he must deem it a very subordinate matter to which subdivision of the church they may ultimately attach themselves; and the teacher of an industrial school must be singularly unqualified for his office, and must make strange waste of his own and his pupils' time, if he devote himself to making them all conform to his own peculiar ideas, whether he be Episcopalian or Methodist, Presbyterian or Independent. All such sectarian proselytism ought to be steadfastly discouraged, and every energy directed to the only worthy object—to *Christianise*.

In this matter, however, there is much more real difficulty when the question comes to be, not betwixt one body of Protestants and another, but betwixt Protestants and Roman Catholics. The conscientious scruples of a Roman Catholic parent are entitled to respect when they really exist. The experience of Scotland, however, all goes to shew that they very rarely, if ever, object to their children being taught along with Protestant children, and from the same Bible; unless the idea be put into their heads, and hard pressed upon them by other people. Cases have occurred in which they have been thus induced, perhaps *forced*, to object to the Bible teaching of their children.

Consider how such neglected juveniles are circumstanced. If their Roman Catholic parents were educating them in the principles of their own religion, no

man has any right to interfere with them; but they are neglecting them, they are not educating them to become respectable, self-supporting members of society, but leaving them to be initiated, by their older vicious comrades, in every sort of iniquity. Were it not so, they would never require to be the objects of the care of industrial schools. A Protestant State, such as Great Britain, is well entitled to say to such parents; if you neglect to educate your children, we cannot, either for their sakes or our own, suffer this to be: they must be educated; and if you cannot or will not, we *must*; and, at the same time, as a Protestant people, we dare not educate them by any other means but by the use of the Word of God. There is neither cruelty nor injustice in so doing; and, in fact, it will be found that the parents of our neglected outcasts are very rarely members of any Christian Church, nor care about religion in any way. Were it otherwise, they would not neglect their offspring; and they may, in general, be correctly described as home heathens. The sanctions and influences of religion are, it may almost be said, more needful for the education of the lowest classes than for others; and, therefore, let no system be adopted by the country in which the constant daily use of the Bible is not distinctly recognised.

It is not necessary that the children of Roman Catholic parents, *who conscientiously object* to Bible teaching, should be constrained to be present during the time of religious instruction; it may be arranged very easily that they shall not, as is commonly done in the parochial schools of Scotland, where the very same

practical difficulty occasionally occurs; but this is altogether different from removing the Bible wholly from the school, or putting it, as it were, in an inferior place. It must be held up to all as the means to which alone the supporters of the schools look for the regeneration of the pupils; it must be kindly offered to all, and it must be distinctly understood that if any decline the offer it is wholly their own fault, and at their own risk. To allow the Bible to be banished from industrial schools, or put out of the way as an inferior thing, in the circumstances in which Great Britain is placed, is simply to allow a small minority to persecute the great majority of the nation in a matter of vital importance.

This question in industrial schools assumes a different form from that of religious education in a national system; for in the latter, most of those who oppose state payment for religious instruction have the highest value for Bible teaching, and will spare no pains to give it themselves or to procure it for their children; but in the dispute betwixt Roman Catholics and Protestants as to industrial schools, the only question is, retain or expel the Bible; and if Bible instruction be not given in the school, it is quite certain that it will be given nowhere else. Upon his own principles, no true Protestant will attempt to constrain the children of Roman Catholic parents to receive his religious instructions; but as little can he consent to hide them, to keep them out of sight, or to withhold them from any whom he can persuade to receive them, be they children of Protestants, of Roman Catholics, or of heathens.

The Bible is the palladium of Britain, and the free use of it is the unalienable birthright privilege of every British child, whether he be to be educated in a ragged school or in a seminary of the highest class.

The industrial work must vary in different parts of the country. One sort will be found more profitable, and more useful, in one place, and another in another place; and the managers must act in this as circumstances dictate. There is much inducement to obtain work which pays; it makes the annual accounts look well, and forms a capital paragraph for the Report; but still it is not the principal object: the great purpose of the industrial training is to form habits of steady perseverance at work, and to teach what may be of use in after-life as a means of self-support; and immediate profit should be considered as a secondary object.

One great advantage to be derived from the Government capitation grants is, that they make it less necessary for managers of schools to give undue preference to present profit, and enable them more easily to follow up the training calculated to do most ultimate good.

It is to be regretted when oakum-picking, wood-splitting, and other similar occupations which are not likely to be pursued in after-life, enter largely into the work of the school; but it often cannot be avoided, and work of any kind is far better than none; and these are excellent for beginners, as the first steps in industrial pursuits. Tailoring and shoemaking are good for boys; for, even if they do not become their

permanent supporting trades, they enable them, especially if they emigrate, to do much for themselves. Sewing and knitting, in every branch, are the great occupations for girls, and there can be none more suitable; unfortunately, school-sewing rarely pays until after several years of teaching. In the Aberdeen schools, net-making has been the most profitable boys' work; but the demand is local, and only lasts for a part of each year.

The question of lodging the pupils should not be rigidly determined either one way or the other, but decided according to circumstances in each case. The Aberdeen experience is decidedly in favour of the children returning at night to their homes; in cases of necessity, a very few may, without much injury, be accommodated in the school-buildings, under the teachers' care; but, as a rule, it will be found much better to board them with respectable families in the neighbourhood. This plan has been followed in the Aberdeen schools with many of the children sent under warrants, and hitherto with excellent results; the others are accommodated in the House of Refuge; but, though an admirably regulated establishment, the results in this department are by no means satisfactory.

The arrangements of the day should allow ample time for recreation and play in the open air; this is requisite for the development both of mind and body. Give the children space and time, and they will speedily find amusements. Gymnastic exercises require care to guard against accidents; and no games

should be permitted which end in the acquisition of property from each other; they lead to constant quarrels. The spirit of gambling is as strong in the lowest class as in any other, and requires careful repression.

During the time of recreation, more anxious superintendence is required than even at work or lessons; for it is in the play-ground that the natural character is most displayed, and it is there that the teacher can best learn the disposition of each, and what special treatment is required.

An occasional expedition to the country, or railway trip, is highly appreciated, and does much good; for it furnishes matter of useful instruction for weeks. It is a great treat to the children; but it is a hard day's work to the teachers, though gladly undertaken for the sake of their pupils.

The proper arrangement of the Lord's-day has often been found perplexing. It is perfectly possible to spend the day, in strictest conformity with the fourth commandment, both cheerfully and usefully; and when it is otherwise, there must be fault either in the arrangements or in the mode of carrying them out.

The industrial school Sunday consists of twelve hours. If the children go twice to church, as they ought, this, including the preparation and walk to and from the place of worship, will occupy not much less than one-half of the day; and the three meals require at least half an hour each; leaving only four hours and a half, or at most five hours, to be spent in Sabbath lessons, and

that not continuously, but at three or four different periods of the day. No great ingenuity is necessary to arrange these hours, so as to be alike pleasant and profitable. The staple of the work should be ordinary Sabbath-school teaching; and it is often very expedient to call in the aid of experienced Sabbath-school teachers, to give their assistance.

A considerable portion of time ought to be devoted to committing Scripture to memory and repeating it, not in masses, but each child individually. In Scotland, we possess an admirable aid to Sunday work in the Shorter Catechism of the Westminster Assembly, that unrivalled summary of Christian doctrine and duty, taught in almost every school. As soon as a child can read, and even sooner, the learning of catechisms is commenced. The first employed is occasionally an abridgement; but in most cases, children at a very early age learn the Shorter Catechism, and in parish schools it is expected that a child of ten shall be able to repeat all the 108 answers correctly. After this, they learn the proofs; that is, the passages of Scripture on which each answer is founded; and by this means four or five hundred of the most important texts in the Bible are firmly fixed in the head—no mean provision for life. This is the Socratic mode of teaching applied to Christianity. When the Catechism, with proofs, has been learned, then the next step commonly is to teach how to find proofs of this and that doctrine in the Bible, an exercise which intelligent pupils always find most interesting, and which rapidly extends the scholar's knowledge of the

Word of God. This catechetical exercise can be so varied as to afford profitable and agreeable occupation for a considerable time each Sunday. The same instruction may be given, though less systematically, without the Catechism, by prescribing doctrines or duties to be proved from Scripture, and there are very few children who will not soon find delight in the exercise.

The older children ought to be required to give an account of the sermons they have heard; it is a mischievous habit for young persons to sit and listen without attending, and there is no test of their having profited so simple as to ascertain the account they can give of what they have heard, which can be done either verbally or in writing.

An excellent exercise will be found in the teachers reading aloud an interesting portion of Scripture, explaining the hard words, and making a few simple remarks from time to time. The teachers will find it profitable to themselves, and intensely interesting to their pupils. There are no stories which interest children half so much as those of the Bible, the narratives of Abraham, and Joseph, and Moses, and Daniel, and, above all, of our blessed Saviour and his apostles, never weary, and are ever fresh. It is a singular corroboration of the Divine origin of the Bible, that the very same simple histories which charm the infant inquirer are the solace and delight of the hoary Christian, whose warfare is all but accomplished; no human work could have such wondrous power.

A portion of the day may profitably be devoted to

committing psalms and hymns to memory; and in this the older pupils may usefully assist, by hearing the younger repeat what they have learned. A part too may be spent in singing, not in learning to sing (which is a purely work-day occupation); but in employing what has been acquired to its proper devotional use, of singing the praises of God. It is an exercise in which almost all delight; the very youngest will speedily come to join in, "Oh, that will be joyful," and many other suitable simple hymns, with heartfelt emotion.

We repeat that there is no great difficulty in making the Lord's-day a delight to the inmates of an industrial school in strict conformity with the fourth commandment; but we must admit that it is still easier to make it a dull, heavy, wearisome, profitless day. Only let the teachers be uninterested in their Sabbath duties, and this will be effectually accomplished. On that day they ought to be more earnest, more active, more cheerful, and more affectionate than on any other, and more alive to the holy responsibilities of their position. To teachers and to taught it ought to be the happiest day of all the seven; and if only its duties be undertaken in a right frame of mind, with the Holy Spirit working in the teachers' heart, it cannot fail to be so; and without this, masters and scholars will be alike ready to cry out, "What a weariness; oh, that it were done!"

A practice much favoured by some teachers cannot be approved—the Sunday walk—it seems little other than a mode of getting rid of time, which there is

difficulty in otherwise spending. In a well-ordered school it cannot be wanted for purposes of health, and no precautions can make it subservient to the holy duties of the day. Children's eyes and ears are ever at work, and it is impossible for them to walk an hour or two, as is often done, be it in the country, or along the seashore, or along the streets of a town, without seeing and hearing much which must dissipate serious thought and desecrate their minds, if it do not actually pollute and corrupt them. What they see and hear may or may not be wicked in itself, but it turns away the mind from Sabbath thoughts to week-day thoughts; and, though not intended, it teaches a lesson of Sabbath breaking, which may produce very bitter fruit. It is all very well for poets to write of the contemplation of nature raising the thoughts from nature up to nature's God; but those who have had to study human nature know too well that this is to begin at the wrong end; and that the heart must first be taught to know God before it can see Him, or acknowledge Him in His works.

As the industrial school day was commenced by imploring God's blessing, so it must be closed by returning thanks to Him for the mercies of the day, and beseeching His care and protection during the silence of the night; and then the children repair to their homes, or to the dwellings where they are lodged. It is not found by experience that they are apt to fall into temptation after leaving school for the day, for the succession of work and lessons, and food and play, have sufficiently employed their energies, and supplied

their cravings; and they are, as children at night ought to be, ready for bed, and desirous of nothing else. Those who are lodged in the school-buildings, of course have a little more time to be spent in recreation or work than their comrades who go home or to lodgings for the night.

The daily routine of the Aberdeen schools, which has been proved to be so suitable, has already been given in Chapter X.

CHAPTER XIV.

PRINCIPLES OF REFORMATORIES, AND RULES FOR THEIR
ESTABLISHMENT AND MANAGEMENT.

THE object of a reformatory is very nearly the same with that of an industrial feeding school; almost the only difference consists in the pupils being older, and having been convicted of crime. The principles are identical—there are the same wants, both physical and moral, to be supplied—the same Christian kindness and firmness are needed—and the same religious instruction and industrial training are to be imparted. In the reformatory the task seems more arduous, inasmuch as evil habits are of longer growth and more firmly rooted; but there is, perhaps, almost as much advantage to the teacher, on the other hand, in this, that maturer years and some experience of the hard wages of sin make the pupils more willing to co-operate in their own improvement, and more alive to the advantages they are receiving.

It is probable that we shall have a considerable amount of discussion as to what children are to be sent to a school, and what to a reformatory; and that many attempts will be made to define the two classes with minute accuracy. The truth is, that the distinc-

tion is more nominal than real; the fact of the conviction is, so far as the child's character is concerned, wholly *accidental*. It may with all justice be held that the neglected outcast is, in this sense, criminal; that there is nothing to restrain him from crime but the want of opportunity to commit it; and that nothing prevents his having the name of a criminal but the circumstance that he has not been accused and convicted of crimes which he has committed; but these constitute no personal moral superiority, and on whom the greater part of the guilt of this must rest has already been indicated. Some distinction, however, must be made, and it will be found expedient to make it depend partly on age, and partly on previous history.

It does not facilitate the working of any training institution to have inmates of very different ages. There must be many arrangements suitable for children from five or six to ten or twelve, which are wholly unsuitable to young persons from fifteen to twenty.

By Dunlop's Act no one can be detained in an industrial school beyond the age of fifteen without his or her consent. By Lord Palmerston's Act any person under sixteen years of age may be sent to a reformatory for not less than two and not more than five years, so that a young person may be there detained till very nearly twenty-one years of age.

In order to the effectual working out of the principles embodied in these Acts, it seems necessary that there be two kinds of reformatories, senior and junior. This proposal does not imply the establishment of a greater number of reformatories than will otherwise

be necessary, but only the proper arrangement of the ages of the inmates of each. When a young person is to be detained several years in a school, the expense of moving him, even to a considerable distance, makes very little addition to the cost of his training.

To the senior reformatory should be sent all those above fifteen or sixteen, who have been more than once convicted of crimes, and who have fairly put upon themselves the prison brand.

To the junior reformatory should be sent all of similar age, who are convicted of a first crime, and for whom excuse is to be made on account of their insufficient training.

The industrial schools, and not the reformatories, are the proper places for all under fourteen or fifteen, whether they have been found guilty of a first trifling offence, or are sent, under Dunlop's Act, as vagrant children, in Scotland; or under Sir S. Northcote's proposed bill, for England, as vagrant, destitute, and disorderly children.

Power, however, must be given to the managers of schools to apply to the Secretary of State in England, or the Lord Advocate in Scotland, for the removal from school of any young person who is found to be so vicious as to exercise a depraving influence on the others. Such cases are rare, but they do occasionally occur, and must be provided for. One small establishment for the whole island would probably suffice for all these cases; and if not thus provided for, they may very seriously impede the general work of reform.

It must be distinctly recognised that being sent to an industrial school, or to a junior reformatory, impresses no prison mark ; that must be confined to those who have committed crime after being made fully aware of the distinction betwixt right and wrong.

The senior reformatories ought also to be open to young criminals who wish to repair to them, to forsake their evil ways and enter on a new course of life.

The whole subject of adult reformatories is comparatively new, and no tables of results can be exhibited ; but the experience of the Redhill Farm Schools, of the London Reformatory for Adult Male Criminals, Great Smith Street, Westminster, and of the Reformatory in Glasgow, are so encouraging as to hold out every hope of success, even with adult and hardened offenders. These must at present be the models followed until further experience gives additional practical information.

A small reformatory has been erected at Oldmill, about two miles from Aberdeen, in order to complete what is wanting in the system of the industrial schools, by trying what can be done for the older criminals.

The Rev. Sydney Turner, who has been lately appointed Government Inspector of Industrial and Ragged Schools, has inspected the buildings, and on his favourable report Government sanction has been obtained. The buildings have been erected at a cost of about £1200, and are placed on a farm of about fifty acres, which belongs to the institution, being a part of the estate of the late Dr Watt, devoted by him to benevolent purposes, and most

wisely appropriated in this manner by his trustees. The building now erected is calculated to contain about forty inmates, but it is planned so as to admit of very easy extension when necessary. It was thought on every account desirable to commence on a small scale. The rules under which it is proposed to manage it are very brief, but may afford useful hints to those engaged in similar undertakings.

REGULATIONS OF OLDMILL REFORMATORY.

Rule 1.—The object of the institution shall be to provide a *middle place* between the *prison* and *society*, for the reception and reformation of those young persons who have fallen into crime.

In terms of the 10th section of the Act 19th and 20th Vict. c. 28, it is necessary for the directors to elect whether they will have the reformatory certified for vagrant and neglected juveniles *not convicted of crime*, or for those who have been convicted and are sentenced to a certain length of imprisonment before being sent to the institution. The Legislature appears to have established as a principle that the neglected juvenile vagrant and the convicted juvenile thief shall not be admitted into the same school. It may be difficult to see any good reason for this; but in Aberdeen, with the industrial schools now existing and the reformatory in prospect, no practical difficulty is likely to be experienced. In accordance with the above rule, as in the meantime expressed, the institution would fall under Lord Palmerston's Act, and would be *certi-*

fied under that Act alone for the reception of young criminals.

Treasury aid under that Act would probably be at the maximum rate of seven shillings weekly per head for each young person.

Aid, under the minute of Committee on Education, might also be obtained, except the capitation grant, which, in respect of the Treasury aid, would be excluded.

As a condition of aid, however, from the Committee on Education, it is provided, that the reformatory shall "contain at least forty inmates," a number which the managers of the Oldmill Reformatory might not be in a condition to receive for a considerable period.

On the other hand, looking to the terms of the circular to school inspectors, it would appear that the institution, as one of the minor class of reformatories, might for a time be allowed to share equally with the larger class, or the difficulty might be overcome by applying for the certification of the House of Refuge and the Reformatory as one institution, which they really are.

Rule 2.—The institution shall also be open for the reception and training of neglected and destitute young persons, who, in the judgment of the managers, are verging towards crime.

This is the class of children to the education and training of which the Scotch Reformatory School Acts are more especially directed, and for this class the existing certified industrial schools may, in the meantime, be considered a sufficient provision.

There appears, however, to be no good reason for the express exclusion of such children from an institution like the Oldmill Reformatory, where the means of industrial training will be pursued with superior efficiency, and it is therefore thought the house should be open for children of the non-criminal as well as of the criminal class, were it only by way of exception to the general rule, or on the footing of special cases.

A small minority only of the children at our common industrial schools is in attendance under judicial warrants, the majority being there as voluntary inmates. So, in the case of the Oldmill Reformatory, inmates might be admitted on a voluntary footing, as well as under direction of the magistrate.

With regard to the separation of the two classes (which might not at first be practicable, and is never convenient), it must be borne in mind that the distinction exists more in name than in reality; for the poor child who is convicted of an offence may among his companions be the one least of all deserving of punishment.

Rule 3.—The inmates shall be trained to industrial habits and employments, in conjunction with intellectual and religious instruction, so as to fit them, on leaving the institution, to take a place in society, and gain their livelihood by the exercise of some honest calling, at home or in the colonies.

Rule 4.—It shall be the special and paramount aim of the institution so to combine and exercise the means of training and instructing the inmates, as not merely to impart to them *knowledge* and

skill, but to inspire them with those motives of conduct which can alone enable them afterwards to discharge the duties of life towards God, themselves, and their fellow-men.

School lessons should take their turn with *steady bodily labour*, but should never be allowed to supersede it as the staple of the reformatory. The education contemplated is not intellectual so much as moral and industrial.

Intellectual instruction, however, ought to be good as far as it goes.

Criminal boys often possess sharpness and cunning; but this is a very different thing from the power of sustained attention and methodical application of the mind. It is in the formation and development of such habits that intellectual discipline becomes identical with moral discipline of a high order. The humbleness of the form, and the limited degree in which intellectual instruction may be imparted, does not alter this truth, nor dispense with the necessity for an able teacher.

Boys, therefore, ought to learn to read, write, and cipher, in such a manner as to acquire *the practical command of those arts in earning their bread, and making their way in the world*. A boy who reads with difficulty and without intelligence—who writes imperfectly, and spells incorrectly—who cannot readily apply the first rules of arithmetic to a common transaction of the shop or of wages, might as well, for most practical purposes, be unable to read, write, or cipher at all.

The doctrines and maxims of Christianity ought also to be taught in such a manner as to be likely to become motives and rules of conduct.

No oral delivery of moral lessons can be so effective as that which results from daily practice. A disobedient, dirty, ill-conditioned lad is not to be talked into habits of order, obedience, and cleanliness. He can only be taught to acquire them by living in daily and hourly contact with them.

The house ought not to be made a show-place for the exhibition of mere external order and discipline, or for display in the schoolroom, or dexterity in the workshop. *That* sort of training (proper in itself) may be accomplished in any well-conducted school or manufactory, without in any way influencing the morals of the inmates.

The comforts of the house, compared with the poor labouring man's home, ought not to present a temptation to crime as a qualification for admission. Cleanliness, temperance, honesty, hard work, and plain diet, ought to be the daily characteristics of the institution.

Rule 5.—It shall be the duty of the managers to aid in providing suitable employment for the inmates, when ready to leave the institution.

Besides mechanical occupations, and the ordinary employments connected with farming and gardening, the army, navy, and colonies will also afford opportunities for the satisfactory disposal of inmates who may be inclined and qualified for openings in any of these directions.

Rule 6.—The institution shall be conducted by

a governor, who shall be responsible for the entire management of the house and inmates. With the aid of such teachers and assistants as the managers may appoint, the governor shall superintend the training and instruction of the inmates in all the branches, direct the entire economy of the house, keep the accounts thereof, and, generally, carry out the instructions of the managers.

Rule 7.—In conducting the house, and in all his intercourse with, and treatment of, the inmates and officers, the governor shall act the part of the Christian head of a family.

On the qualifications of this officer the success of the institution will entirely depend. He must become the *friend* as well as the *master* of the inmates. No force of discipline or instruction will effect *reformation*, or *instil good habits*, unless accompanied with an interchange of the affections. The inmates should feel that the house is their *home*, and that they are members of a family, in the welfare of each one of whom the governor takes a deep and decided interest.

To secure the operation of this family system, the number of inmates cannot at any time be large, more especially at the outset of the establishment.

Rule 8.—Rules for the more special management of the institution shall be framed from time to time by the directors, as experience may suggest.

These rules, after full consideration, were unanimously adopted by the managers, for their future guidance.

GLASGOW REFORMATORY.

The Glasgow Reformatory was sanctioned by Government on 15th November 1854. It has existed for many years as a Boys' Refuge and Industrial School, and is now a very extensive and important institution, under the admirable and energetic management of the Rev. Mr M'Callum, the present governor. The managers made large additions to the buildings, in anticipation of receiving inmates under warrants, and the house has now ample accommodation for 550.

The routine of the establishment is as follows:—All the year round, the boys rise at half-past five, wash and dress, and prepare to meet their masters at six. From six to eight, ply their respective trades; at eight, assemble for worship; then breakfast and drill; at nine, leave the playground, and half go to work, half to school, till two. From two to three, dinner and recreation; from three to seven, work and school; the boys who were at school in the morning going to work in the evening, and those who were at work in the morning to school in the evening. At seven, they wash, have supper, and family-worship. Nine is the hour for bed. In summer, the time from half-past seven to nine is mostly spent on the playground; in winter, the boys read books from the library; one evening of the week they have a music-lesson; and an occasional popular lecture is a source of much pleasure. Great attention is bestowed on the physical part of the training, the drill, and other active

exercises; and much good is expected from a swimming-pond, now prepared.

The industrial work in the reformatory is tailoring, shoemaking, carpentry, smith-work, cooper-work, match-splitting, printing, and farming; the last hitherto on a small scale. As much as possible of the work of the establishment is executed within its walls. From last year's Report (1856), it appears that all the trades were remunerative, except the printing:—

	Profit.
Tailoring—1 superintendent, 9 masters, and 90 boys,	£246
Shoemaking—1 superintendent, 6 masters, and 70 boys,	250
Wood-splitting—number various, as boys constantly drafted to other trades, .	78
Farming—1 master and 25 boys, . . .	39
Smith-work (recently introduced)—1 mas- ter, 12 boys,	10
Cooper trade (ditto ditto)—1 master, 12 boys,	3
Bookbinding (ditto ditto),	3
	<hr/> £629
Loss on printing,	9
Total gain to establishment,	<hr/> £620

The average number of inmates during the last year was:—

Males,	328
Females,	216
Total,	<hr/> 544
The diet of each male cost, . . .	£5 4 7
” ” Female, . . .	4 17 0
Clothing of each male, . . .	2 17 9½
” ” Female, . . .	1 6 5

The total expense of the establishment for the year was £7574, 6s. 6d.; of which £4165 was raised by assessment under a local Act, and £2719, 12s. 6d. received as board from certain inmates; the balance being made up by profits of work and by legacies. The average annual cost of each inmate, counting boys and girls together, is about £14.

It must be remembered that this large establishment contains many young children, and therefore the profit on work done cannot be great.

In the year from 15th May 1855 to 15th May 1856, 222 boys were committed to Glasgow prison, and of these, 169 were subsequently sent to the reformatory; and of 83 girls committed in the same year, 58 were sent to the reformatory; making a total of 227 enjoying for the first time the benefits of this institution.

The rules laid down to regulate the conduct of the teachers, assistants, masters of workshops (or family fathers), and of the boys, have been prepared with the utmost care, and are so admirably adapted to their purpose, that they ought, if not in words, at least in principles, to be the rules of all such establishments. Every one who takes part in the management of a reformatory must profit by studying them; and they are so correct in their principles, and so full in their details, that we have no hesitation in holding them out as a model.

RULES OF GLASGOW REFORMATORY.

Regulations for Teachers.

TEACHERS! It is impossible to overestimate the im-

portance of your office. Yours is pre-eminently the vocation of training your youthful charge for both worlds. You need peculiar qualifications—firmness blended with love, decision with gentleness. In undertaking your office, see that you have counted the cost. Your daily duties call for daily self-denial. You must live by prayer. You cannot take a step without it. Your own strength is weakness. Through Christ you can do all things. Your moral influence in the school is omnipotent. If on the side of rectitude, regularity, and order, the children will emulate your virtues; if on the contrary side, who can estimate the disastrous consequences? Seek to realise the value of the precious souls intrusted to you. Yours is the task to mould them for immortality. You possess a plastic power whose efficacy *cannot* fail—Bible truths uttered by loving lips from earnest hearts. School instruction—the teachers' words and looks, fresh and vivid, associated with the parents'—survive when the winter of old age has chilled almost all beside. How important that these be *sacred* recollections! Those intrusted to you have, in most instances, either lost their parents, or it had been better for them they had never seen them. This makes your task doubly responsible. You have not only to implant proper principles but to eradicate evil ones. But the seed you sow shall never die. It will bear fruit in eternity. Live then by faith. Whether you see it or not, a rich harvest *shall* be reaped. Be a hero in God's work. "Fight the good fight of faith." Your warfare will at last be crowned with victory!

The following regulations are appended more as a few suggestions to aid you, than as complete rules to regulate you:—

1. Seek to realise the momentous importance of your office.

2. Enter upon the discharge of your daily duties with much and fervent prayer for the Divine blessing.

3. Remember that yours is the training of immortal spirits for the highest destinies of which they are susceptible.

4. Be earnest. Be hopeful. Work for God. Consider the magnitude of your enterprise. Apply your undivided energies to its execution.

5. Have faith in the promises of God's word, that they will all be verified in the experience of the earnest, believing spirit. "Train up a child in the way he should go, and when he is old he will not depart from it." "My word that goeth forth out of my mouth shall not return unto me void, but shall accomplish that which I please, and prosper in the thing whereunto I have sent it."

6. Give a daily Bible lesson, and strive to impress the minds of all your children with the supreme importance of loving, reverencing, and practising the holy precepts of the Word of God.

7. Make sure that you possess the primary and indispensable element of a qualified teacher—*deep and genuine piety*.

8. Strive to co-operate with the governor in bringing the children to a saving knowledge of the Lord Jesus.

9. With a view of rendering your teaching efficacious, acquire a complete control over your children while you possess their entire confidence.

10. Your duties are peculiarly trying on your temper, therefore endeavour to unite melting love with unflinching decision in the exercise of discipline.

11. Let order and regularity pervade the whole arrangements and routine of your school.

12. Be punctual. Teach your boys punctuality. Let them know that irregularity of attendance cannot be tolerated, and if tolerated would injure themselves through life.

13. Acquaint yourself as soon as possible with the names, respective characters, and dispositions of your boys. You need not be reminded that your treatment of each must vary according to peculiarity of circumstances.

14. Endeavour to ground the boys well in the common elements of education, being (with few exceptions) all the learning that they will ever receive.

15. Endeavour to make your instruction as interesting as possible, that their attention and sympathies being enlisted, they may regard their education with pleasure, and make corresponding progress therein.

16. Keep a careful account of each boy's attendance and diligence at the school, with the progress he is making. You will render a quarterly report to this effect to the governor, which is engrossed in his books, and submitted to the directors.

17. Teach your children politeness. Whilst you are kind and familiar, let them never intrude by

coarseness or vulgarity. Their previous habits expose them very much to this evil.

18. Enforce cleanliness and tidiness as to person, clothes, books, and school-furniture. This is indispensable in a well-regulated class-room.

19. Make your boys march in order to and from the school, and when changing their classes. In no instance allow them to jump over the seats or act disorderly.

20. See that each boy has laid past his books, cap, &c., in their proper place. Many of the impediments that retard the success of the teacher would be removed by attention to such minor points as these.

21. Continually impress on the children the importance of valuing their present opportunities for improvement. Their minds are volatile. They need "line upon line and precept upon precept." They look to *you* for instruction.

22. In reproving or checking for faults committed make reference to the Bible as your *authority*, thereby impressing upon the minds of the children the sacred majesty of the Word of God.

23. See that the school regulations be constantly carried out; and with this view cause one of your monitors to read them aloud, at least once in the week, in the presence of the whole school.

Regulations for Assistants.

ASSISTANTS! Your designation delineates your duties. You contemplate one day to superintend a reformatory. Enter now on your great work with all your

heart. Be in earnest. Pray much. Labour much. Believe much. God will be with you. The cause demands and deserves your entire energies. You are a fellow-labourer with God. You desire to dive into the sea of human depravity and corruption, to bring thence gems to adorn the diadem of your Redeemer. Persevere. God will bless your labours. "My word that goeth forth out of my mouth *shall not* return to me void, but shall accomplish that which I please, and prosper in the thing whereto I sent it." The Bible is your sheet-anchor. Religion is your mighty lever. Philosophy is your handmaid. "Them that honour me I will honour."

The following regulations are designed to supplement, not supersede, your own plans of usefulness. The governor will always be delighted to co-operate with and aid you. May you be "wise in winning souls."

1. Begin, conduct, and close your work daily in the spirit of prayer.

2. Endeavour to realise the conviction that nothing comparatively is effected for your youthful charge until they are converted unto God.

3. Pray, labour, look for *conversions*.

4. Endeavour to adopt God's appointed means to effect God's work, therefore prayerfully study the Bible as your great model in all things.

5. Inspire love and reverence for the Bible in the mind of your charge, and see that the daily portion be duly committed to memory.

6. Study the characters and dispositions of each of

the children intrusted to you, and adapt your instruction and dealing to him accordingly.

7. Never despair of the recovery and salvation of the most degraded and vicious under your care.

8. Deal personally with each one intrusted to you; pray with and for him; gain his confidence; convince him, by your earnestness and affection, that you seek his temporal and eternal welfare.

9. Endeavour to impress him that his sins have not only dishonoured God, but injured himself, and exposed him to present and future misery. But,

10. Shew him that God is merciful, and that there is hope for him through sincere "repentance towards God and faith towards our Lord Jesus Christ."

11. Inspire him with hope. Shew him that while the past may be dark and dreary, the future is pregnant with promise and bright with hope.

12. Instil the love of industry into the mind of your youthful flock. Shew them that hard honest labour is not less an appointment of Heaven than a condition of human happiness.

13. Inculcate constant habits of obedience, truthfulness, and industry on your charge; and see that the masters are regular and punctual in giving the daily marks for these qualities to their boys.

14. See that order, punctuality, and cleanliness prevail in your regular inspection of the workshops, dormitories, and other parts of the institution.

15. Teach the children to love one another, to cultivate a kind and obliging disposition towards each other.

16. In visiting the dormitories intrusted to you, conduct the worship occasionally, hear and explain the daily verses, give such directions as may enable the monitors to discharge their duties efficiently, and take a note each visit of the state of the ward in your Dormitory Report.

17. A large amount of your success, under God, being dependent on the manner in which the monitors discharge their duties, take a special interest in them; advise, encourage, and train them for their difficult and interesting work. And,

18. As the ranks of the monitors are constantly thinned by their being discharged from the institution as reformed boys, be always watching for suitable ones to occupy their places, making them at first assistants, and then training them to their important duties.

19. Issue no commands unless you see that they are punctually and promptly executed.

20. Expect difficulties, and be prepared, in God's strength, successfully to overcome them.

21. Give your whole heart to your work; the task of rescuing the fallen can only be achieved by prayer, patience, and perseverance. "Be not weary in well-doing, for in *due season* you shall reap if you faint not."

22. When you need to correct for faults, watch your temper; do not give way to passion. Convince the erring that you seek his good. A few kind loving words will seldom fail in melting the obdurate, and so aid in reforming him.

23. Never let a boy at large in a sour or sullen state

of mind. He prevents his own improvement, and does much to impede the improvement of others. He must be brought to a right state before you give him up, and an energetic master never fails.

24. Do not hold out bribes for well-doing or industry. The children should be made to feel that they are to do right *from a sense of duty*.

25. Little encouragements should be occasionally given—such as a holiday, a visit to the coast, botanic gardens, prizes for excelling at their school, trade, &c., in conjunction with moral improvement—but these should be sparingly and judiciously bestowed.

26. Always give prominence to *goodness* rather than *cleverness*, and encourage excellence in moral character rather than in intellectual display.

27. Teach the children gratitude, contentment, and civility. Shew them the bearing of these principles on their future life.

28. Take special interest in the *new* inmates. The first few months generally decide the character they are to sustain while in the institution. Loving words and looks *then* impress them that they are come among friends who are concerned for their welfare.

29. When any of your boys are on the sick-list, be earnest to impress their minds with the importance of possessing “the one thing needful.” These are seasons especially pointed out by Providence for directing the soul to eternal things. “Before I was *afflicted* I went astray, but *now* I keep thy word.”

30. On week-days you will take a share of the duties of the school-room. Endeavour to acquire the

best system of teaching. No one can be an efficient superintendent of a reformatory unless he has had considerable experience in school management.

31. On the Sabbath you will assist the governor in the duties of the sacred day. Special efforts must then be made on behalf of the boys' eternal interests. In addition to training them to the regular habit of attending Divine worship in the institution and elsewhere, each boy, as far as possible, must be made the subject of individual catechising and instruction.

32. Make yourself thoroughly acquainted with all the arrangements of the institution, and suggest improvements when you think them necessary. The governor will be glad to consider them carefully.

33. Consult freely with the governor as to the best mode of training the boys, and qualifying yourself for your deeply important work. He will gladly sympathise with you in your difficulties, and communicate to you the result of his experience.

34. Make the glory of God, in the salvation of the souls of "the little ones" committed to you, the supreme object of your life, and "Whatsoever thine hand findeth to do, do it with thy might; for there is no work, nor device, nor knowledge, nor wisdom in the grave whither thou goest."

Regulations for Masters of Workshops, or Family Fathers.

MASTERS AND FAMILY FATHERS!—Consider your solemn responsibility. You are engaged in training immortal souls for both worlds. Whether you will or not, the boys under your care will take from *you* the

character of their destiny. Are *you* punctual, upright, and diligent?—*they* will become so. Are *you* the reverse?—*they* will follow your example. They are with you the principal portion of the day. If you follow out and inculcate the lessons they have been receiving from the governor and at school, the result cannot but be favourable; if otherwise, you will be the means of their ruin. You occupy much the position of a parent. The directors and the governor repose great confidence in you. Discharge your important trust with fidelity. Become thoroughly acquainted with *each* of your boys. Find out his disposition. Ascertain the entrance into his heart. Gain his confidence. Shew that you *cannot* give him up till he is reformed.

The following regulations will assist you. Ponder and pray over them:—

1. Endeavour to enter on your responsible duties daily in a spirit of prayerful dependence on the Divine blessing.

2. As the Word of God gives directions for the life that now is, as well as for that which is to come, make the Bible your constant study, to guide you in discharging with fidelity your important trust.

3. Unite kindness and firmness in your treatment of the boys.

4. As they are specially placed under your care for acquiring a knowledge of some trade or handicraft, strive, by exciting their emulation and interest, to make them thoroughly masters of it.

5. Impress upon them constantly the necessity of

combining honesty and integrity, with proficiency at their respective trades and occupations.

6. Study the characters and dispositions of your youthful charge, and adapt your instructions to them accordingly.

7. Teach them habits of politeness and respect towards their superiors, love and kindness towards their equals.

8. Be punctual yourself, and teach punctuality to your boys. On no account allow them to be behind the appointed hour in being present at their workshops.

9. Inculcate implicit and cheerful obedience to all your commands, it being understood that these are always just and reasonable.

10. Avoid irritation and passion, and when you need to report a boy for misconduct, shew that you do it with grief, but that his welfare demands it.

11. Consult freely and frequently with the governor about the best mode of managing your boys, and especially regarding any who may be troublesome. He will always be glad to co-operate with and assist you.

12. Train your boys to habits of neatness and cleanliness, as regards their workshop, clothes, and person; having a place for everything, and everything in its place. On no account allow them to appear with unwashed hands or faces, or with clothes torn or out of order.

13. Allow no talking in your shop during work hours, except what is necessary in asking the tools from one another.

14. When your shop is out of work, apply to the superintendent of the department for more ; and when a boy is waiting for a job, let him read for the benefit of the others. *Never allow a boy to remain idle.*

15. Give the daily mark for truthfulness, obedience, and industry, to each boy under your care, according as he merits it, with scrupulous conscientiousness. Neglect, partiality, or want of firmness here, may do incalculable and irreparable mischief to the boy's future destiny.

16. In all your intercourse with your charge, let them witness, on your part, straightforwardness, sincerity, and Christian principle. If you act otherwise, no one can estimate the amount of damage you inflict upon them.

17. Do nothing yourself by stealth, and allow none of your boys to do it. The governor's visits are never dreaded by a well-conducted shop.

18. Be particularly watchful to check, in your boys, every tendency to dishonesty and deception, whether in look, word, or action.

19. When you have made yourself thoroughly acquainted with the character and disposition of your boys, appoint the best behaved among them as a monitor ; whose duty it will be to assist you in the management of the rest, and to act for you in your necessary absence.

20. On the ringing of the bell at night, you will march your boys in order to the lavatories, see them thoroughly washed, and then delivered over to the receiving officer ; in all such marching the monitor

will walk at the front, and yourself at the rear of the boys.

21. At your turn to superintend them on the playground, see that they all enjoy themselves with the utmost freedom, laying no restraint on them, except such as is necessary in preventing wrong-doing; hearty, energetic play is good for their body and mind.

22. Impress on them the importance of observing the rules of the institution, of conducting themselves in a becoming manner, of cherishing feelings of gratitude to God for placing them in such favourable circumstances, and of using every effort to improve these.

General Rules.

Boys!—These Rules are designed to make you happy. They aim at your welfare for both worlds. You are in the house to do you good. The masters are your friends. Consider them as such. Permit them to aid you in your efforts for self-improvement. Without your own earnest co-operation, no training will benefit you.

The following rules will help you to remember your duty. Reflect on them. They are only some out of many which the Bible will point out to you. Pray to God, for Christ's sake, "to teach you *all* things."

1. *Cultivate Early Piety.*—"I love them that love me, and those that seek me early shall find me" (Prov. viii. 17).

2. *Honour the Bible.*—"Search the Scriptures" (John v. 39).

3. *Love the Lord's Day.*—"Remember the Sabbath-day, to keep it holy" (Exod. xx. 8).

4. *Be Prayerful*.—"Pray without ceasing" (1 Thess. v. 17).

5. *Watch the state of your Heart*.—"Keep thy heart with all diligence, for out of it are the issues of life" (Prov. iv. 23).

6. *Be Humble*.—"God resisteth the proud, but giveth grace to the humble" (James v. 5).

7. *Cultivate Decision of Character*.—"Choose you this day whom ye will serve; . . . but as for me and my house, we will serve the Lord" (Josh. xxiv. 15).

8. *Be Obedient*.—"Obey them that have the rule over you" (Heb. xiii. 17).

9. *Be Truthful*.—"Lie not one to another" (Col. iii. 9).

10. *Be Honest*.—"Thou shalt not steal" (Exod. xx. 15).

11. *Be Industrious*.—"The hand of the diligent maketh rich" (Prov. x. 4).

12. *Be Careful*.—"Gather up the fragments that remain, that nothing be lost" (John vi. 12).

13. *Rise Early*.—"Love not sleep, lest thou come to poverty" (Prov. xx. 13).

14. *Practise Self-denial*.—"If any man will come after me, let him deny himself" (Luke ix. 23).

15. *Be Grateful*.—"In everything give thanks" (1 Thess. v. 18).

16. *Be Benevolent*.—"Do good to all men" (Gal. vi. 10).

17. *Be Content*.—"Godliness, with contentment, is great gain" (1 Tim. vi. 6).

18. *Guard against Envy.*—"Envy is the rottenness of the bones" (Prov. xiv. 30).

19. *Avoid Swearing and Profane Language.*—"Swear not at all" (Matt. v. 34).

20. *Beware of Evil Companions.*—"My son, if sinners entice thee, consent thou not" (Prov. i. 10).

21. *Be Orderly and Regular.*—"Let all things be done decently and in order" (1 Cor. xiv. 40).

22. *Be Punctual.*—"To everything there is a season" (Eccles. iii. 1).

23. *Be Polite.*—"Honour to whom honour is due" (Rom. xiii. 7).

24. *Cultivate Good Temper.*—"Anger resteth in the bosom of fools" (Eccles. vii. 9).

25. *Guard against Covetousness.*—"Beware of covetousness" (Luke xii. 15).

26. *Be Persevering.*—"Be not weary in well-doing" (2 Thess. iii. 13).

Practise cleanliness. Do everything at its proper time. Put everything in its proper place. Use everything for its proper purpose. Never put off till to-morrow what you can do to-day.

Regulations for Chapel.

1. As it is a solemn act to engage in God's worship, it is expected that seriousness, earnestness, and a becoming deportment, will characterise every one present; and,

2. As no worship is acceptable before God unless it be performed by the *heart*, and through the mediation of Jesus Christ, every one should commence by

secretly asking God's Holy Spirit to enable him to perform it aright.

3. The bell rings for worship at eight o'clock in the morning, when every boy will drop his work and join his rank, preparatory to going to the chapel.

4. On orders being given, the boys will march to the chapel, taking their seats in silence, and prepare for the worship of God.

5. Each boy will have the regular psalm and chapter prepared before the commencement of the worship, and will take part in the singing and other services.

6. The morning worship being concluded, the boys will march in order to the breakfast-hall, and at night, after the evening worship, to the dormitories, except on the evenings devoted to the lectures, examinations, music, &c.

7. No talking of any kind, nor sleeping, on Sabbath, while in the church or chapel, nor any noise made with the hands or feet, is allowed.

8. Every boy will sit up with his back to the seat, and will not lean upon the book-board with his arms or hands, or be listless or inattentive while the worship is being conducted.

9. No boy shall rise to the singing till the lines are distinctly read, nor sit after prayer till the person conducting the worship has closed.

10. Every boy will simultaneously repeat, at the morning worship, the daily text of Scripture, when notice is given by the governor, or the person conducting the service.

11. Each boy is expected, on Sabbath evenings, to give the texts and portions of the sermons heard through the day, whether in or out of the house, and to repeat the seven verses of Scripture committed to memory during the week.

School Regulations.

1. All the orders of the teachers must be punctually and promptly obeyed.

2. Politeness and becoming respect towards the teachers must, at all times, characterise the boys; therefore all rudeness and incivility of every kind must be entirely unknown in the school.

3. Every boy will cultivate feelings of affection and regard, and avoid unkind or injurious treatment towards each other.

4. Every boy will enter and retire from the school in a quiet, orderly manner, taking and returning the books he requires as he passes the partitions.

5. Diligence and activity must characterise each, as well during school-hours as at his trade, therefore no talking or trifling of any kind can be allowed.

6. Every lesson must be thoroughly mastered before leaving it.

7. No one will begin a new page in writing, nor a new rule in arithmetic, until he has obtained permission from the master.

8. As every boy must take special care of his own books, he is not to meddle with, nor take those of another.

9. All writing or marking on books, desks, or walls,

is prohibited, and there must be no waste of the ink-bottles, slates, pencils, or pens.

10. No boy must stay away from his class, till he has got special permission to do so.

11. No boy will appear at school unless he is clean and tidy as to his person and clothes, and no spitting on the floor or desks, or other nuisances, are on any account tolerated.

12. As the future prosperity in life of each boy must depend upon the use he has made of his opportunities to acquire a competent education, it is expected that he will diligently improve his present privileges.

Regulations for the Dormitories.

1. Every morning, the monitor, with his ward, will silently ask God's blessing and guidance on the duties of the day; and at night, the usual arrangement of singing, reading, and prayer, will be attended to.

2. On Sabbath mornings, the monitors, along with their ward, will take special care to implore God's blessing upon the solemn duties of the sacred day; and at the close, in the usual manner, to ask the Holy Spirit's influence upon the instructions received.

3. Every boy, in addition to the daily worship in the ward, is expected to cultivate the duty of secret prayer.

4. No quarrelling, angry word, improper language, or any other unseemly conduct, to be on any account allowed in the ward. Should the monitor fail in reporting such conduct, he renders himself liable to be disgraced from his post.

5. In the morning, every boy is to rise immediately on the ringing of the first bell, at half-past five o'clock. He will wash himself thoroughly, comb his hair, make his bed, and leave it clean and tidy.

6. On the ringing of the second bell, the boys of each dormitory will march in order to the gallery, the monitor going out last, after seeing that the windows are thrown open, the beds neatly made, the shoe-horns in their place, and the dormitory left in good order.

7. On the command being given, the boys of each gallery will march in order to meet their masters in the back-ground at six o'clock, the monitor going last.

8. Each boy will enter his dormitory in order, the monitor going in last.

9. During the time of worship in the ward, good conduct and becoming seriousness will characterise each.

10. On the nights appointed for reading, each boy will get a library book to himself, which he is to read silently; and when the monitor is instructed to read for the benefit of all, earnest attention is enjoined.

11. The Bibles and library books to be carefully preserved, and no writing or marks of any kind to be put upon them.

12. No boy is to act disorderly, or to injure the beds, the bed-clothes, or any part of the furniture in the ward.

13. On mending nights, each boy will carefully mend his stockings and clothes; no one to appear in the ranks with his clothes in bad order.

14. The monitor will hear regularly the daily verse repeated by each boy, and faithfully report to the assistant any one who has neglected to learn it.

15. In cases where a boy cannot read the verse, the monitor will appoint a boy to assist him; all to be willing cheerfully to render that assistance in turn.

16. After the ringing of the second bell, the gas will be turned off, and complete silence will prevail for the rest of the night.

17. Should any boy prove disorderly, the monitor will instantly report the case to the assistant, who will settle it; and if the fault be serious, the case will be remitted to the governor."

The best results must follow from reformatories conducted in conformity to these rules; they are an admirable combination of Scripture principles with common sense.

The great English model reformatory at present is the admirable institution at Redhill, under the care of the Rev. Sydney Turner, so well known for his exertions in the cause of juvenile delinquents, and lately appointed to the very responsible situation of Government Inspector of Reformatories and Industrial Schools in Great Britain.

The Redhill establishment is the successor of the old Philanthropic in St George's Fields, founded about 1780. It enjoys the special patronage of our most gracious Sovereign and of the Prince Consort, and is managed by a numerous body of directors, including

some of the most devoted promoters of the cause of reformation of prisoners, such as the Duke of Richmond, the Earls of Shaftesbury, Chichester, Harrowby, and others.

By the Act of Incorporation, the exertions of this society are restricted—1st, to the sons of felons; 2d, to boys who have themselves been convicted: and of late the admissions have been, as much as possible, restricted to the second class.

The general plan of Redhill, is that of a considerable farm, managed, as much as possible, by spade husbandry. The greatest number of boys at one time, during the year 1855-56, was 198. They are divided into six families, varying from nineteen to fifty, residing in separate dwellings, dispersed over the farm, and each under the charge of a master. The masters meet the superintendent and chaplain, the Rev. S. Turner, every Saturday morning, to consult and confer on the state of the several schools, and every Wednesday evening for strictly religious exercises, an admirable mode of keeping up a right spirit, and of supporting them under the trials and difficulties of their labours.

There are no walls or enclosures to prevent escape, yet the number who abscond is very small. It is unnecessary to add that they feel themselves to be treated with judicious kindness, otherwise they would not remain as they do. They are employed exclusively in agricultural labours and in the mechanical works subservient to farming.

The staff of officials is large in proportion to the

inmates, and capable of superintending a greater number so soon as additional houses are prepared.

The expense for 1854 was £32, 0s. 11d. per head, and for 1855, £28, 5s. 5d.; but this would be greatly reduced by the admission of more boys.

The youths are not, on the whole, of a hopeful class on admission; many of them have been frequently in prison; last year no fewer than 68 had been three or more times convicted, and many of them were seventeen or eighteen years of age. Few remain more than from twelve to fifteen months, and it is the great defect of Redhill that sufficient time is not allowed for the reformation work. Twelve months are not enough to undo the training of, perhaps, twelve previous years, first as neglected outcasts, and next as juvenile delinquents; and yet this is the history of most of the inmates of Redhill previous to their admission.

The greater part, on leaving, proceed to the colonies as emigrants, the remainder are apprenticed at home. In 1855-56 the number of emigrants amounted to 65, and the cost of emigration was £1566, 17s. 5d., or about £24 each; 34 were apprenticed at home, at a cost for outfit and fees of £66, 3s. 8d., or less than £2 each.

Every care is taken to maintain intercourse with the youths, and follow their career in after-life. The results are decidedly in favour of emigration, the number of those who relapse into crime in this country being about thirty per cent., and of those who emigrate about twelve. The results are quite as favourable

as could be expected from the short period allowed for the work of reformation.

The following table exhibits the reformatory results from 1850 to 1854:—

Years.	Emigrated.	Relapsed into Crime.	Home Employment.	Relapsed into Crime.
1850	31	2	19	8
1851	44	8	13	3
1852	61	8	25	7
1853	86	11	36	15
1854	86	10	26	13
Totals,	308	39	119	46

On this table the chaplain most judiciously remarks:—"With regard to the obtaining places of employment at home, our past experience seems to shew distinctly that lads from the country districts, or small towns, may often be thus provided for, with both safety and advantage; but that the boy who comes from London, or our larger cities, encounters such hinderances and temptations from his return to his former circumstances and associations, that it is by far the truest kindness to him to give him the opportunity of beginning his new course of life in distant countries, where he starts without drawback from past character or old companions."

The Redhill Reformatory was avowedly copied from the Colonie at La Mettray, but with such alterations as British and Protestant feelings rendered indispensable. Its results contrast favourably with the parent institution, especially when it is remembered that none

are detained at La Mettray for less than three years. The whole is admirably conducted, and a minute examination of its details, especially of the religious training, will be found most instructive to any one who desires to study a reformatory.

Parkhurst, by its arrangements, is much more of a prison than a reformatory, and is included in the reports of the directors of convict prisons. It might easily be converted into another Redhill.

CHAPTER XV.

CONTINENTAL EXPERIMENTS.

WITHIN the last few years, much attention has been given, in various parts of the Continent, to the treatment of prisoners and the prevention of crime, by governments and by private individuals; and though many of the details are unsuitable to our own country, yet there are some of them which we might probably adopt with great advantage.

Experiments of great importance in prison discipline have been tried in Bavaria, in Spain, and in Wurtemberg. In Bavaria, the movement appears to have originated with Mr Obermaier, about twenty years ago.* He was then governor of the prison of Kaiserslautern, where he first introduced his plans, and he was afterwards placed in charge of the state-prison at Munich, and his principles have since been extended to all the Bavarian prisons for males.

The number confined in the Munich prison is from 550 to 600; and the annual expense of each £10, 2s., of which £5, 9s. 6d. are for food; no rent, and no interest for money expended on buildings are charged.

* See appendix to Second Report on Transportation, 1856, p. 160.

The average clear earnings of each prisoner for the last six years are £1, 12s. 11½d.

The former Bavarian system was one of extreme harshness. Mr Obermaier substituted one of kindness and commiseration, and the change he effected is marvellous indeed. He became governor at Kaiserslautern in 1830, and in 1836 had his system in full operation. In 1842 he was removed to Munich, and by 1845 had all his reforms introduced, and the prison arranged as it now is.

At Kaiserslautern, betwixt 1830 and 1836, he discharged 132 criminals, sentenced to various periods, from five to twenty years, and of these, 123 "have, since their discharge, been admirably conducted; and 9, viz., 7 men and 2 women, have relapsed into crime. This statement is founded on the testimony of the authorities in the different places to which the men returned, and it is a well-attested fact. The proportion between the reformed and the relapsed continued nearly the same till 1842."

When Mr Obermaier was appointed to the governorship of Munich prison, in 1842, it was in a most fearful state. "He found from 600 to 700 prisoners in the gaol, in the worst state of insubordination, the prisoners all chained together, and attached to the chain was an iron weight, which the strongest found difficulty in dragging along; the guard consisted of about 100 soldiers, who did duty, not only at the gates and around the walls, but also in the passages, and even in the workshops and dormitories; and strangest of all protections against the possibility of an outbreak or

individual evasion, *twenty to thirty large savage dogs, of the bloodhound breed, were let loose at night in the passages and courts, to keep there watch and ward.* The place was a perfect pandemonium, comprising, within a few acres, the worst passions, the most slavish vices, and the most heartless tyranny.”*

The work which Mr Obermaier had here before him was evidently of the most arduous description. The great principles which he employed were kindness and occupation. He selected a few of the best men, enlisted their sympathies, and won their confidence, gathered them together, and very gradually relaxed the severity of their treatment. They, in time, exercised an ameliorating influence on others, until these also became willing to co-operate in the governor's schemes. As the characters of the men improved, their cheerfulness increased; “as he lightened the weight of the chains on their limbs, so did the weight on their hearts appear to be removed.” The process was long and painful, but the result was most satisfactory.

Now the whole prisoners are employed in associated labour, at many various manufactures, each shop being superintended by a convict, and the whole in such perfect discipline, that few guards, and very insufficient bolts and bars, seem sufficient to restrain them, and the bloodhounds have been dismissed as unnecessary.

The results at Munich are quite as satisfactory as those at Kaiserslautern: from 1843 to 1845 there were 298 discharged, who had been sentenced to

* Report, p. 161.

periods of imprisonment varying from one to twenty years; of these, 189 had been guilty of murder, homicide, highway robbery, or theft; 246 have been restored improved to society, 26 are doubtful, 4 under examination, 6 punished by police, 8 remanded, and 8 dead—total, 298.

These returns are very startling, shewing an amount of reformation effected by prison discipline far above our best experience in Britain. The cases of relapse by the Kaiserslautern returns are about 7 per cent., and by the Munich about 10 per cent; while in England the actual recommitments are about 34 per cent., without taking account of the *doubtful*. There are, however, circumstances much in favour of Bavarian prisoners when liberated. There are no great manufacturing towns, in which they can hide themselves and pursue their nefarious practices; and the simple manners and habits of the peasantry are all in favour of the perseverance in honest industry of any one who really wishes to do well.

Besides these, there are two peculiar circumstances in the Bavarian treatment of prisoners which deserve our most careful consideration; they are very different from British practice, but may be imitated by us with the hope of similar advantageous results.

In the first place, it appears that many are sentenced to imprisonment without fixing any limit or term to their confinement, and therefore their hope of liberation depends on their good behaviour. The prison authorities are thus invested with great power, and can even detain a man for life if they think him

unfit for freedom. Such a power is doubtless liable to abuse, and might be converted into an engine of great oppression, but if prudently exercised, and solely with a view to the lasting benefit of the criminal and the public, it is invaluable. In its full extent it would perhaps be unsuitable in Britain, but within limits it might well be introduced into the penal labour system, so as to allow detention for a specified period beyond the judge's sentence if the prisoner really had not the fair prospect of self-support if forced out into the world at the precise period of the expiry of his term. It is hard treatment to turn the patient out of the moral infirmary when his recovery may be progressing most favourably, but before his moral strength or his industrious habits are sufficiently confirmed for his safe struggle in the world. After the jury has convicted and the judge has sentenced him, he ought (within certain limits) to be intrusted to the management of the prison authorities. The judge, on passing sentence, has no means of knowing what the moral effect of prison discipline may be upon him ; none but the prison officers can know it.

It would be manifestly absurd to send a fever patient to an infirmary to be turned out on a fixed day, although he might be unable to stand on his feet ; and it is in no respect wiser to turn out a criminal without regard to his moral progress. Such an alteration in our practice, of course, presupposes the appointment of none but men of high qualifications to the office of prison governor.

In the second place, the other favourable circumstance is, that in Bavaria the convicts are kept strictly

in view by the police long after liberation, and that the whole country is covered, as it were, with a network of prisoners'-aid societies, in which respect it is far in advance of Britain. These and the police co-operate to a common end, and are apparently the great cause of the success of Bavarian prison discipline. Prisoners'-aid societies cannot well be established by Act of Parliament, but they ought as much as possible to be fostered and encouraged; at this moment they are almost unknown amongst us.

We may also learn a lesson of considerable value from Spain.* The prison of Valencia was for several years under the charge of Colonel Montesinos, who introduced a complete change of management and a thorough reformation, by availing himself of a principle of Spanish law, by which a prisoner fixed to a certain extent the term of his own liberation by his conduct in prison.

The change introduced by Colonel Montesinos was simply to put it in the power of the prisoners to behave well, which appears to have been all but impossible previous to his appointment, or indeed after it, in any other prison than that of Valencia.

His system was very similar to that of Mr Obermaier at Munich, and the results were most favourable; but, as it were on purpose to demonstrate the soundness of his principles, a change was made in the law, and it was enacted that each prisoner should fulfil to the

* See Report 1856, pp. 163 and 171, and also Hoskin's "What shall we do with our prisoners?" and Captain Maconochie's "Account of the Public Prison at Valencia," for fuller details.

letter the period appointed to him, without regard to his conduct in prison—and by this the whole cause of prison discipline in Spain was ruined. The prisoners were deprived of the stimulus of hope—the philanthropic governor of the prison of Valencia was deprived of the only principle on which he depended for success, and he wisely resigned his post, knowing that his usefulness was at an end—and the prison of Valencia quickly returned to its former state.

The Spanish experiment may be said to have begun, succeeded, and ended at Valencia; for although during a short period Colonel Montesinos was inspector-general of all the prisons in Spain, he seems to have wholly failed in persuading other governors to carry out his plans. He was appointed governor in 1835. The prison is large, containing from 1000 to 1500 prisoners, and the accommodation is an old Augustinian convent, by no means appropriate to the purposes of a prison. Previous to his appointment, the recommitments were from 30 to 35 per cent of the liberations, which is about the average of Britain, and apparently of Europe. When the new system had been ten or twelve years in operation, it was found that crime had diminished in the district, and that the recommitments had fallen to one or at most two per cent! As to this latter statement, we must declare our entire concurrence in the remark of the Recorder of Birmingham,* that “without the slightest disrespect to Colonel Montesinos, we must be permitted to accept this very high

* Appendix to Second Report on Transportation, 1856, p. 164. Captain Maconochie makes the proportion still smaller, page 1.

rate of reformation with considerable reserve." It must be remembered that the number of recommitments depends greatly on the efficiency of the police, and that of Spain is understood to be worked much more energetically in political than in criminal affairs.

The system of Colonel Montesinos was purely military in its details. The prisoners were divided into companies, and the sergeants and inferior officers were themselves convicts. The leading principles which he employed were kindness and encouragement to work, persuading the convicts that he really felt an interest in their welfare, and had their good at heart.

The prisoners all entered in fetters; these, on application to the governor, were removed, unless in rare cases of the more desperate characters. Each man was encouraged to work at a trade he knew, or to learn one if previously ignorant, and at last no less than forty different trades were in full operation; and it deserves special notice that the whole of the workshops were originally organised and afterwards maintained by the prisoners themselves, without costing the Government one farthing.* The principal trades were those of blacksmiths, shoemakers, basketmakers, joiners, ropemakers, printers, cabinetmakers, and weavers, from the coarsest canvass to the richest velvet; and the whole work of the prison was done by the inmates.

The great hold which the governor had over the prisoners was in the fact that by their good behaviour they could reduce the period of their confinement, by

* Eleventh Report on Transportation, 1856, p. 165.

one-third of the term of sentence, and also procure themselves small present indulgences.

One-half of their earnings went to the prison funds, and this is stated to have been often sufficient to meet expenses, a result very different from our experience; one-fourth was paid to them when they left the prison; and the remaining fourth they were allowed to spend, at a shop within the prison, on tobacco and other little luxuries.

In the prison was a chapel for religious worship, a school-room for teaching reading, writing, and arithmetic, an orange garden, a poultry-yard, with pheasants and other birds, for the amusement of the prisoners; and the whole was kept most scrupulously clean and most amply supplied with water—a matter of extreme importance in a warm climate.

The whole establishment, while under Colonel Montesinos, was guarded by a dozen of old soldiers; the bolts and bars seem to have been in a most inefficient condition, and yet there were very few escapes.

This is a strong proof of the soundness of Colonel Montesinos' principles. He shewed the men that he wished to treat them as reasonable beings, and with all practicable kindness; and he set before them the hope of earlier freedom as well as present indulgences, to encourage them in industry and good conduct; and the natural result of this common sense treatment was a large amount of reformation. The clearest of all tests was applied in the most unfortunate manner for the cause of prison reform; for the law was changed, and, by a new criminal code, the stimulus to good

conduct was withdrawn; prisoners were no longer allowed to improve their condition while in prison, nor to shorten their period of confinement by industry and self-control. The most rapid deterioration ensued; the whole meliorating effect came to an end; and thus the Spanish Government, by its infatuated change of prison laws, gave a lesson to all Europe on the right manner of treating convicts.

The workshops and other external forms of Colonel Montesinos' system remain at Valencia, but the spirit of it and the good results have vanished.

The total cost of each prisoner was 2 reals, or nearly 4½d. a-day, or £7, 10s. per annum; to each hundred prisoners there was one overseer—a retired sergeant in the army—and four warders, and four sub-warders, selected from among the prisoners.

The employment of so many convicts as officers seems very imprudent, at least it is against all our notions of prison discipline; but it seems to have worked well, and it saves much annual expense, for even the head warders have only a small gratuity of less than £2 a-year, and the others seem to have nothing.

In Wurtemberg a singular prison experiment has lately been commenced. Experienced workmen, of the highest character, generally *brothers* from the Rauhe Haus, near Hamburg, have voluntarily put on the prison dress, and taken up their abode in the prison, in order to devote themselves to teaching and training the inmates, and for this purpose subjecting themselves to the whole routine of prison discipline. The labours of these devoted men seem to be as suc-

cessful as they are acceptable. The prisoners feel that they are actuated by no motive but the desire to do them good, and this at once prepares them to second their efforts.

“Although this experiment has been tried only a few years, yet their example has been found to do marvels in one of the worst prisons in the country.”*

The principle of this experiment is obviously good. Why should it not be tried by ourselves? Why should not the labour of such persons be gladly welcomed in our prisons? Doubtless it would be a great shock to all starched lovers of routine and red-tape; but it could not fail to be beneficial to the prisoners, and that in no common degree. It is an act of great self-devotion on the part of the teachers; it combines Christian love and common sense in its actings. Men able and willing to undertake the task exist among ourselves; and why should overstrict regulations be employed to exclude them from so noble an employment?

Of the foreign preventive and reformatory institutions for juveniles, the most celebrated, and those from which we may learn most, are those of Mettray and Hamburg, both of which have attracted much attention for several years.

The name of La Mettray, and of its illustrious founder, M. De Metz, are as familiar in England as in France. The history and experience of La Mettray, and the other “colonies” in France, have furnished many valuable lessons on the Continent, and also to our-

* Bunsen’s “Evidence Com. on Criminal Juveniles,” 1852, sec. 1398.

selves, in being the model on which the Redhill Reformatory was established. The noble efforts of De Metz and his fellow-labourers have stirred up not a few to similar exertions. As models of philanthropic zeal and energy, they are worthy of all praise.*

The French system is founded on a single clause of the Code Penal, lib. 11, c. 1, § 66 :—" Lorsque l'accusé aura moins de seize ans, s'il est décidé qu'il a agi *sans discernement*, il sera acquitté ; mais il sera, selon les circonstances, remis a ses parens, ou conduit dans une maison de correction, pour y etre élevé et detenu pendant tel nombre d'années que le jugement déterminera, et qui, tout fois, ne pourra excéder l'époque où il aura accompli sa vingtième année."

" When the accused is under sixteen years of age, if it be decided that he has acted *without discernment*, he shall be acquitted ; but he shall be handed over to his relations, or conducted to a house of correction, to be there brought up and detained during such number of years as the sentence shall determine, but which shall never exceed the period when he shall have completed his twentieth year."

It does not appear that any special provision was made, when the law was enacted, for carrying it out, further than by handing over the young culprits to their relatives. No " Ecoles de Reforme " were established by the state, nor was much done systemati-

*. For fuller details of Mettray, see evidence of Mr Hill before Committee of 1852 on Destitute Juveniles, p. 427, and Rev. Sydney Turner's " Report on La Colonie Agricole at Mettray ;" also *Law Review* for November 1855 and *Irish Quarterly* for March 1856.

cally by private exertion, until De Metz and his friends undertook the task.

It seems impossible either for judge or jury to decide whether a young person has acted with or without *discernment* as the expression is here used; and so in practice this law asserts that no young person under sixteen can be a criminal, or justly liable to be treated as such. This assertion embodies in itself at least two grave errors.

It is not true that criminals under sixteen are ignorant of the distinction betwixt right and wrong; and it is not true that they are not justly liable to punishment for their criminal acts; and to tell them that they are not, is to give them a very false view both of themselves and of the laws of public justice. It may be asserted as truly of an aged criminal as of a juvenile, that he has acted *without discernment*; both commit offences simply because they do not *discern* the true bearing of their actions on others, on themselves, or in the sight of God.

The root of this error in the French law lies in overlooking the doctrine, which is one of the foundation-stones of revealed religion, the innate corruption of human nature, and its proneness to evil, until new principles be implanted; and it also denies, or at least overlooks, the whole doctrine of natural conscience firmly fixed by God in every human heart. It arbitrarily decides a question which the most profound students of mind and morals confess to be beyond their power to determine, the age at which responsibility commences; or, in other words, when the age of discretion begins.

It is impossible for man to say when a child becomes responsible; the infant in arms has a dim perception of the difference betwixt right and wrong; the child of three or four sees it more clearly; and the urchin of six or eight guides all his actions on some sort of principle of personal responsibility: the actions may be right or they may be wrong, but they are done with a consciousness that they are his own, and that he is personally and undeniably answerable for them. It is absurd to say to a gamin of Paris, or a city Arab of London, "You are not responsible, because you are not sixteen, and therefore you have acted without *discernment*." They know perfectly what they have done, and that they are criminal both in heart and deed; there can be no doubt that they have the fullest *discernment* of the nature of their actions.

Our customary views of this most important matter are complicated by our confusing betwixt sin and crime. Every crime is sin, but every sin is not treated as crime, nor made the object of punishment by human laws; and this leads us to forget, at least in this connexion, that all young persons are naturally sinners, and must be trained accordingly, whether actually criminals or not, and that they require to be led away from the paths of sin, and placed, so far as man can do it, in the path of virtue.

Crimes are the troublesome displays of sin; often they are not more offensive in the sight of God than many acts which do not incur punishment from man; but man looks much more at crime than sin; more at

the produce than at the root from whence it springs. Some think it very harsh and very uncharitable to speak of all children as sinners by nature; but it is the clear, oft-repeated, and only doctrine of the infallible Word of God on the subject; from beginning to end it teaches no other, and in face of all the shallow reasonings of wretched sophists, who call themselves philosophers, the state of the whole world, from the Creation to this day, in the East and in the West, in the North and in the South, proves its absolute truth.

No system of reclaiming outcasts can succeed which does not acknowledge this fact and act upon it, because it is the very fact which God has made known as rendering necessary the whole scheme of man's salvation. It is therefore not right for the Legislature to tell a youth of fifteen that he is not responsible for his actions because he has acted without discernment; he feels that is a false assertion, and it at once shakes his confidence in the discretion and discernment of the person who so addresses him.

If we are to follow out the Scripture mode of treating him, we must regard him as a fellow-sinner who has not had the means of proper training afforded him, we must tell him that he is a criminal as well as a sinner, but that society feels justice has not been done to him, that due pains have not been taken to implant sound knowledge in his head and right principles in his heart, and that therefore, admitting that there has been culpability on the part of the public as well as criminality on his part, the public, as the only reparation it can make, will now give him a fair prospect of improve-

ment, and will even abstain from calling him a criminal unless his future course of life shall demand it.

This is a very different mode of proceeding from that of the code penal. Instead of misleading the culprit as to his true state by an ingenious sophism which may well excite his contempt, it deals with him in an honest straightforward manner which must command his respect, and puts him and the public in a right position with regard to each other.

It refrains quite as much as the code penal from inflicting the *prison brand*; that fatal stamp is one of the inventions of our social system, engraven by society for its own protection, and used at its own discretion, and it may at any time abstain from its use—there can never be any positive obligation to inflict it.

It is true that the inmates of a *colonie* in France, or an industrial school in England or Scotland, are the very same individuals who would in former years have been inmates of prisons, and would have worn the felon mark for life, but if the public were to insist on now regarding them in precisely the same light, then the work of reformation would be effectually obstructed; but the sound sense of Englishmen cannot fail soon to perceive that there is the greatest difference betwixt a youth who has undergone in three or four years half a dozen separate imprisonments in as many prisons, and another who has spent the same time exclusively in an institution calculated to improve him. Both are originally and alike sinners, but the one has had every means used to improve him, while the other has undergone a course

of treatment calculated rather to deteriorate and harden him.

Mettray was originally planned and established by M. Demetz and his friend M. le Vicomte de Courteilles, who made a gift to the institution of a considerable landed property for the purpose of trying the experiment. It is situated about five miles from Tours, and was opened in the year 1839. The land given by the Vicomte de Courteilles extended to about 250 acres, and as much more has been taken on lease, so that altogether about 500 acres are now occupied by the establishment.

It may be described as a military-agricultural institution; the discipline is military, and the work agricultural. All the movements of the boys to and from school, chapel, or work, are regulated by drum and bugle; they are thus roused from bed in the morning, called to meals, to work, and ordered to bed at night.

The "*colonie*" contains in general from 500 to 600 inmates, and these are divided into families of about forty, each family occupying a detached house of three stories, the lowest being arranged in workshops, the second as dining-room and school-room by day, and dormitory for part of the boys at night, and the upper as a dormitory for the remainder.

A master (or father, as they term him) and two assistants live in each house, and associate perpetually with the boys at work, meals, and recreations, and they sleep in the same apartments. They are assisted by two boys, elected by the inmates of each house (by universal suffrage and vote by ballot), who continue in

office for one month, and this popular election of monitors appears to be a valuable part of the system.

Great use is made of the principle of honour so strong in French boys, and this is effected by means of numerous rewards, both to individuals and to families; that which is most coveted is a flag of honour placed before the door of the house whose inmates have been best behaved. This has great effect in interesting each boy in the good behaviour of all his comrades.

Much care is taken with regard to punishment; "the least fault is punished," and pains are bestowed to make the boys sensible of the justice of their sentences. Corporal punishment is totally forbidden, and in place of it are employed deprivation of meals and recreations, admonition in the director's parlour, the light or dark cell, with or without bread and water diet, and finally expulsion, that is returning to the prison whence they came.

The punishment cells are in connexion with the chapel, and so placed that the prisoners can join in the service without being seen, and, what is a singular arrangement in a Roman Catholic establishment, each boy under punishment in a cell is furnished with a New Testament and a copy of Thomas à Kempis on the Imitation of Christ, and it is to be hoped he is not deprived of them on liberation.

The amount of instruction given is intended not to exceed the average education of labourers, viz., reading, writing, arithmetic, and music; the more advanced, however, are taught the elements of drawing and geo-

graphy. The teaching is made as individual and personal as possible.

M. Demetz regards his work as essentially religious, and that if sustained by voluntary exertion, wrought out by young and earnest men devoted to it as a mission for which they have to live, it will succeed ; but if taken up only as a piece of Government machinery, to be carried on by a mere code of discipline and by hired servants, who enter on it solely as a calling they may live by, it will probably, and justly fail. He well expresses his principles when he says, " Let us address ourselves to it with the gospel in our hands, and we shall be sure of the Divine blessing on our efforts."

The boys are encouraged to receive the communion frequently (if partaking of the bread in the mass may be so designated), and all offences committed within a week of communicating are doubly punished.

Much attention is bestowed on religious instruction. Prayers are read in each family both morning and evening ; there is public worship twice on Sunday ; and on Sunday evening, and on one week-day evening, M. Demetz addresses them on subjects of practical religion and morality.

The Sunday arrangements cannot be commended. After the hours spent in church and at meals, there are about six hours to be occupied. M. Demetz causes the boys during these " to be instructed in the use of the fire-engine, in military exercises, and in gymnastics, *on the principle that to learn to help one's neighbour, to defend one's country, and to keep*

one's body vigorous and healthful, may be said to be a religious duty!" It would be difficult to say what duties, or what kinds of manual labour and active bodily exercise might not be had recourse to on the Lord's-day if this principle were to be admitted. It is quite true, however, that the observance of Sunday at Mettray rises as much above the ordinary practice of France as it falls below that of Britain. The arrangements do not take the full license permitted by the Church of Rome on the one hand, nor are they on the other confined by the limits prescribed by Scripture, and yet there is a tone of earnest religiousness pervading the whole of M. Demetz's treatment of the boys, which is doubtless the real cause of his success.

On week days the boys rise at five in summer, and six in winter, and go to bed all the year round at nine. Four hours are spent in meals, recreations, morning and evening prayers, dressing, &c., and one hour daily at lessons. The rest of the day is entirely devoted to labour; and it is particularly desired that the boys always go tired to bed, as it prevents chattering and romping in the dormitories.

The food is plain but abundant; the clothes, hammocks, and all furnishings are cheap but substantial, and the average yearly cost of each boy is about £20, including the expense of the normal school kept up to train the teachers.

The greatest defect of the Mettray system is the small amount of time devoted to instruction. One hour a-day can do little in communicating permanently even the small amount of knowledge which the direc-

tors propose to give. On the other hand, the most valuable part, and that which we ought without delay to copy, is the manner in which the boys are superintended after they leave the institution. This is accomplished by a system of what is termed *patronage*.

When a situation is found for a boy, no matter at what distance from Mettray, a respectable gentleman in the neighbourhood of his new home is asked to become his patron. This implies no expense, and only a little trouble and kindness. He is expected to see the boy from time to time; talk with him, and advise and encourage him; learn exactly how his master is pleased with him, and whether his general conduct be correct or not; and further, he is required to report the result to Mettray every three or six months. By this means a most kindly but efficient superintendence is exercised over each for years, in a manner which does good to both parties. So far as it goes, it tends to re-establish the kindly interest which rich and poor ought to feel and exercise towards each other.

A prisoners'-aid society has lately been established in Birmingham (in 1856), with a similar object in view, though not exactly by the same means. The great excellence of the French plan is the giving a personal interest in one boy to one patron.

Many other institutions similar to Mettray have, within these few years, been set up in various parts of France, some of them directly supported by Government, others by private exertions, and with various results. The success of Mettray has evidently greatly

depended on the remarkable energy, talent, and sound sense of its founder, and these are not to be procured wherever wanted; but so far as the principles are correct, they ought not to fail even in less energetic hands.

A personal friend describes Monsieur Demetz as "possessing two powers rare in their separate excellence, wonderful in their combination—the theoretic power to conceive a system grand in outline, perfect in minutiae, and the executive power to administer its smallest details." *

Mettray is constantly noticed in the various pamphlets and reports on similar institutions in the various parts of Europe, and the general feeling seems to be that the families are too large, and that more good would result if they were not more than ten or twelve in each house, a view in which we cordially concur.

About one-fourth of the Mettray boys join the army, and generally do well.

Of the first 173 who left the institution 17 died, 12 were sent back to prison for misconduct, and 144 were placed in situations; of these 144, 7 have fallen into crime, 9 are doubtful, and 128 are doing well. This is a better result than could reasonably be expected, and though subsequent reports are not altogether so favourable, still they are amply encouraging. Each succeeding year is likely to add one and another to the list of criminals, until the full average be attained, as occurs in the ordinary out-of-prison population.

By the latest statements, the number falling into

* Poor-Law Review for November 1855.

crime does not exceed 10 to 11 per cent., or about a third of the ordinary recommitments of France ; and it must be remembered that all of these had been actually engaged in crime before reaching Mettray. It is a singular fact, that since the institution was opened, only one boy has effected his escape. Temporary escapes are not uncommon, but they either return voluntarily or are captured by the police.

The mortality at Mettray is great, nearly three per cent. annually. This is in part to be attributed to the miserable life the boys have led previous to admission, and in part, to making them work in small and badly-ventilated apartments at their indoor employments, an error which ought not to be tolerated in such an establishment.

After Mettray, the foreign establishment, which has been most noticed in this country, and in many respects far superior to it, is the Rauhe Haus, near Hamburgh, founded in 1833 by Dr Wichern.*

Its distinctive features are the separation of the inmates into a number of small establishments, the great number of teachers employed in training them, and the large proportion of religious instruction communicated.

Dr Wichern commenced with a single cottage and a few acres of land around it, and now there is a hamlet of twenty houses and one hundred children, two-thirds boys and one-third girls, but some of the houses are occupied by other parties,

* For fuller details of the Rauhe Haus, see Evidence of Mr G. Bunsen before Committee on Destitute Juveniles, 1852, p. 166, &c.

The inmates are precisely of the same class as those attending our own reformatories and industrial and ragged schools, viz., children who either have been convicted of crime or are verging towards it. One of Dr Wichern's earliest inmates was a child who confessed to having committed ninety-two thefts, though never suspected or apprehended. A few are voluntary inmates, but the majority are sent by the magistrates, and it is the general rule to admit no others without the consent of their parents or guardians.

They are placed in families of twelve children in each, occasionally, from the great number of cases which occur, fourteen or sixteen are assembled together, but the rule is, if possible, not to exceed twelve. Along with these twelve there resides in each house a *superintendent*, four or five *brothers*, and a young *candidate* for holy orders, so that there is one teacher to each two, or at most, three inmates.

The brothers are a peculiar feature of this plan; they are young men from twenty to thirty years of age of the best character, who receive no salary, but devote three or four years to the work, and by this qualify themselves for employment as heads of similar institutions, or as prison officers, home missionaries, or schoolmasters. The cost of each is found to be £15 a-year, and their expenses are defrayed by themselves, or by private associations or individuals. These funds are kept altogether distinct from the other expenses of the house. Several of the German governments pay for a certain number of the brothers, in order to command their services when trained. Prussia, for

example, has usually ten or twelve, and Saxony six ; and £45, implying three years' attendance, is sufficient to complete the education of each ; and thus the Rauhe Haus serves as a normal school for the brothers.

The establishment is rural, and most of the time is spent in the various farm works of the season. There are twenty-four hours of lessons a-week, and the instruction is mostly religious, twelve of the lessons being exclusively devoted to religious instruction, nine to other branches of learning, and three to singing in parts. On leaving school, they are able to read and write pretty well, have a fair knowledge of mental and common arithmetic, and of the elements of geography, German history, and natural history. Life itself must be the great school of the children, and the object of the establishment is to prepare for its duties.

The brothers instruct the boys, work along with them at all their occupations in the fields and the gardens, and also at many common trades, tailoring, shoemaking, ropemaking, printing, bookbinding, and others. The religious instruction is under the care of the candidate residing in each family, who devotes two hours a-day to this alone, including Bible history, church history, and catechism. Besides this direct teaching, the candidate, and the four or five brothers and the superintendent, are all in constant intercourse with their twelve or fourteen pupils, perpetually bringing an extraordinary amount of improving influence to bear upon them.

The houses for the girls are separate from the

dwellings of the boys, but in the same hamlet, and of course in immediate proximity, and this is found to be very advantageous in many ways. The girls are trained up as housemaids, and do all the cleaning, cooking, sewing, knitting, and such like works of the establishment. It is a question, on which there has often been much difference of opinion, how far the sexes ought to be mixed together in such an institution. It is clearly enough the arrangement of the all-wise Creator that they should not be so separated as to be trained up to look on each other with dread and suspicion, while one of the first rules of every well-ordered family must be to prevent any improper familiarity. In the Rauhe Haus they meet at morning and evening worship, and also in the large school-room, where religious instruction is given to all in common. The different occupations proper to each sex, of course, separate them during the hours of work, and they do not meet together at their recreations; and this is very nearly the common arrangement of a family, with the sole exception of their not mingling at their amusements.

Mr Bunsen states, in his evidence before the committee of 1851 (No. 1405), "Experience has shewn that also on moral grounds, as in their own villages, the sexes always grow up together, it is rather better than otherwise to let them grow up together in these artificial villages, if I may so call institutions of this kind."

The Rauhe Haus is conducted, as much as possible, on the principle of not allowing the inmates to leave

it until they are considered to be sufficiently trained, and the consequence is, that there is always a greater demand than the institution can supply. They rarely leave under the age of eighteen, and the average length of attendance has been, for boys, four years and two months, and for girls, five years and four months.

The applications for admission are far more numerous than the vacancies; about four seem to apply for one who is admitted, and Dr Wichern's rule is to select the worst characters. Out of the 200 who have left the institution, Dr Wichern, on the strictest examination, is satisfied that 145 are fulfilling all the duties of civil life, 10 are mediocre, 22 are bad, and 23 have been lost sight of. No school of ordinary children could give better results.

The time of the candidate for orders in each family is principally spent in teaching and training the brothers; the teaching of the children only occupies four hours a-day. The candidates can have no better training for their future duties as clergymen and missionaries, and the employment is therefore much in demand.

The catechism employed is Luther's, which is the foundation of all Protestant education in Germany; and the religious instruction is purely biblical, without any denominational tendencies.

Similar schools are now established in many parts of Germany, and from 150 to 200 *brothers* have gone from the Rauhe Haus to other more or less important establishments, carrying with them the sound practical lessons they had there received.

The whole conduct of this establishment deserves our most serious consideration, especially the division into small families, the large proportion of teachers to scholars, and, above all, the large proportion of religious to secular instruction, and the employment of the establishment as a place to train teachers as well as scholars, and thus effectually to reduce the cost of the pupils. Dividing the whole expense of the institution among the children, it comes to £12 or £14 a-year for each; but restricting it to the actual expense of the children, it is from £7 to £9 each.

Each boy receives a daily character, and these combined form the weekly character of each family, which is formally announced every Saturday evening.

The boys rise early; from six to seven they have an hour of lessons; at seven they breakfast; after breakfast comes family worship; then the whole establishment meets at one central spot, whence the boys are drafted off to their several employments, whether in the shops or in the fields, constantly attended by the brothers; at twelve they dine, but any one reported to have worked badly forfeits his dinner. The rest of the day is similarly occupied by an hour of lessons and four hours of work.

It is distinctly understood that no mark of criminality is affixed to any one on account of having been a pupil in the Rauhe Haus, and those who leave are therefore regarded not as having been juvenile delinquents and inmates of a prison, but as having come from a first-rate training institution.

In Switzerland there are numerous establishments

for the reclamation of young offenders, partly at least springing from the exertions of Pestalozzi and Fellenberg. They are all agricultural colonies, very much resembling the Rauhe Haus; the model establishment is probably that of Bächtelen, in the canton of Berne, where the Hamburg system is very closely copied. They are supported partly by private subscriptions and partly by Government aid. The expense at the various schools varies from £6, 10s. to £10, 10s. for each inmate. There does not appear to be any peculiarity requiring notice either in their principles or their management. Their results all go to confirm the experience of Mettray and the Rauhe Haus.

CHAPTER XVI.

TREATMENT OF CONVICTED IN COMMON PRISONS.

THE great body of our criminals are those who are confined in our ordinary city and county prisons. The number of those annually sentenced to transportation, or penal labour, may be stated, in round numbers, at 3000, while the total numbers passing through the common prisons of Great Britain annually has been already stated at above 100,000. These, therefore, form the great mass of our criminal population.

It is remarkable, that while public attention has been earnestly directed to convicts, and to a considerable extent to juveniles, comparatively little care has been bestowed on the adults who have not attained the distinction of being convicts or ticket-of-leave men, and yet in some respects they form the most important class; for they are the most numerous, and also the most dangerous, as the probable committers of crime after liberation.

If we take Lord Palmerston's turning point of seventeen, and reckon all below it to be juveniles, we find that there are *above* that age, according to the statements given in Chapter VIII., somewhere about 80,000 adult offenders annually imprisoned and an-

nually set at liberty from our local prisons, for the number confined in them for above twelve months is comparatively so small that it need not be deducted.

These form the really alarming part of our prison population, more truly so than the holders of tickets-of-leave, so much dreaded by the public. The majority of them have had enough of imprisonment to ruin their characters, to irritate them against society, to take away from them every fear of prison or dread of returning to it, and not enough to do them any good.

The truth is, that though imprisonment has long been our principal punishment, it has been almost exclusively employed to deter, and it cannot be said that in our ordinary prisons it has ever been fairly tried as a reformatory process.

The superiority of the present system of discipline in common prisons over all its predecessors has already been pointed out; but it is still very far from perfection. The utmost that can be said in praise of it is, that it does the prisoners little harm, and that when enforced by judicious governors and chaplains (going rather beyond the strict limits of their official duties), it may do considerable good, but it does not provide that this shall be done, or even take measures to render it probable. It prescribes one treatment for all, and scarcely allows the officers as much discretion as is necessary for maintaining good discipline without punishment among their capricious inmates; and, even with all the aids of the separate system, there is little provision for anything which deserves the name of moral training.

One clear illustration of this is, that employment is

enforced as a punishment, and withheld as a punishment. In what light are prisoners thus trained to regard *industry* out of prison?

So long as a prisoner does not infringe prison rules, his good or bad character has little influence on his treatment, and none on the duration of his confinement. His general character is of no value: a prisoner may be well known to be the best or the worst man in the prison; but the unvarying rule is, that all must be treated alike while under sentence.

Prison rules might, with great advantage, be made of less uniform application, so as at least to establish different treatment for different classes of offenders. At present a man who is convicted and sent to prison for the third, or fifth, or tenth time, is perfectly aware that he will be treated exactly as he was the first, and that if he behave in conformity with the rules, he will pass his time very comfortably, and leave with renewed health and strength. Repeated convictions prove the need of deterrent treatment, and it would be wise to make each successive imprisonment imply less food, harder work, and less comfort, so far as consistent with the preservation of health. This might with great advantage be accompanied, at least in the earlier convictions, by allowing present indulgences to be earned by diligence in work, as in the prisons of Bavaria and of Valencia. This could be introduced with little trouble, and with every hope of the best results. While we treat prisoners as irrational beings, and forget that they have the tastes and wishes natural to men, we neglect the most obvious mode of doing

them good ; at present we furnish each with a kind of moral Procrustes-bed, and expect it to fit them all.

The present arrangements as to work are not satisfactory. Besides the objections already urged to making labour expressly a part of the punishment, it is, to say the least, very injudicious to give the prisoner no personal interest in his industry.

However regular a prisoner may be in discharging more than his task, all he gains by it is exemption from prison punishment ; it does him no good, and he has no inducement to extra exertion. So far is this carried, at least in Scotland, that if a man employed on the crank be found in the evening to have done 500 or 1000 turns beyond his daily task, it is not carried to his credit for next day ; he must do his full tale the day after, exactly as if he had done nothing the day before.

Prisons in Scotland are conducted in strict conformity with rules issued by the General Board of Directors of Prisons. By the 88th of these rules money payments are strictly forbidden. " Convicted prisoners shall not be allowed any portion of their earnings, nor any extra allowance in consequence of any labour or work performed by them, whether before or after conviction."* And this rule is but very slightly modified by the 89th, by which, in the case of well-conducted prisoners, " the governor may, with the approbation of the county board, make an allowance in the form of clothes, tools, or money, as may be thought best ; but in no case to exceed the

* " Rules for Prisons, 1854," pp. 27, 23.

sum of forty shillings, in case such prisoner shall have been confined for the space of two years, and so in proportion for any longer or shorter period."

From the vague, uncertain manner in which this reward is offered, its moral effect is of no value, and in fact the payments made are very trifling. In the prison of Aberdeen for the last three years the allowance thus made amounted usually to about £3; and in the large prison of Edinburgh, it is rather under £20 a-year for all the prisoners liberated each year.

If imprisonment in our common prisons is to be reformatory, then the principle of the penal labour system must be introduced to a certain extent, and everything done to make employment attractive. The obvious way of doing this is to give the prisoner a personal interest in the proceeds of his work. It is often said that labour is sweet, and so it is, but the best part of the sweetness is in the natural result of profit; take this away, and the greater part of its zest is gone. Doubtless, a man in a solitary cell is much happier if he have something to do than if he sit all day long doing nothing; but still, if he knows that his diligence cannot profit himself, and that its produce only goes to diminish in a very small degree the rate to be levied for the support of the prison, he can hardly be expected to regard his employment as anything more than a means of getting over the day with as little tedium as possible, and it would be unreasonable to expect really earnest work from him.

To repeat a simile already used, we treat our pri-

soners too much as machines, and neglect the consideration of them as rational and moral agents. We demand a certain amount of work from each—just as a manufacturer does from a certain number of wheels and belts and spindles combined together to compose a spinning-jenny—and in general the result thus far fulfils the expectation that the work is done, but neither the machine nor the prisoner are improved thereby.

If we are to reform prisoners, we must look to the moral and rational part of their natures, as well as their corporeal frames, in all the arrangements for their work as well as in teaching and training them, and the work itself must be made a part of the moral training. Nothing can be more just than that a prisoner should pay for his board in prison by his labour; this they must themselves admit, but whatever they can earn by their industry over and above this ought to be their own; unless, indeed, our law be so far altered as to recognise the duty of appropriating it to recompense the parties they have injured.

The objection made to this plan is, that the money paid on liberation is too often instantly spent in vicious indulgences. Unfortunately this is sometimes true, and the fact reflects little credit on the moral part of our prison discipline, for it only proves how little progress has been made in the work of reformation. But this abuse of the money is very far from universal, and occasional cases do not warrant making a general rule grievously injurious to those who wish to do well.

It is now universally admitted that the first short period after liberation is the time of greatest danger

to every criminal who wishes to reform, and that the best service we can render to him, and to ourselves through him, is to enable him to get safely over it. Look at the circumstance of a prisoner dismissed from gaol after six or twelve months' confinement. He is turned out, perhaps many miles from his family and friends, clothed in garments which, though not the prison dress, can hardly fail to proclaim his history to every one as he passes along the street or the highway. He has no means of procuring either food or lodging, and what can he do? Is it possible for the public to place a man in circumstances more likely to force him back into a life of crime? He has been accustomed for many months to comfortable lodgings and clothing, and to abundant food, the three first necessities of life, and he suddenly finds himself deprived of them all; he further knows that his character is gone, and can only be regained by long and patient good conduct, which he sees no prospect of commencing; he knows, too, that if he puts forth his hand and steals he may escape detection, and thus supply his pressing wants, and gain time to consider what he can do for himself, and that at the worst, if detected and convicted, he will at least get his immediate wants supplied in gaol. Some such reasoning must pass through the minds of thousands of liberated prisoners every year. Is it not hard and unwise treatment—hard to the prisoner, and unwise to the public? He ought to have the means of doing well put in his power; and if he go wrong, then it is just to punish him more severely.

It would be good policy to add to every sentence

of above six months' imprisonment, "and thereafter, until by his extra work he shall have earned as much as will provide him in suitable clothes, and board and lodging for twenty or thirty days;" he would then have a reasonable prospect of doing well, and, at all events, not be forced into crime as the only means of obtaining present subsistence.

Another great defect in our ordinary prisons is the want of a sufficient amount of religious teaching. It is to this alone that we have any right to look for doing effectual good to prisoners; and if we wish to succeed, we must not be sparing in the use of means. At present a prison with one or two hundred prisoners is thought to be sufficiently supplied if it have one chaplain and one teacher; but this is to do the work in name only, and not in reality.

Suppose the chaplain to work six hours a-day—and the work is so exhausting that few can discharge it longer to any useful purpose; then, if there be 144 prisoners, the chaplain can spend exactly one quarter of an hour a-week with each of them, Sundays excepted; and if he have 300—and some have even more—he has not quite seven minutes weekly to bestow on each, or half-an-hour in a month, or six hours in a whole year.

Truly gaol chaplains would require to be men of marvellous powers and gifts if we are to expect any permanent good from such brief ministrations. We do not undervalue what may fall from the lips of a godly man within the compass of a few minutes; it may be blessed to the conversion of a sinner, but we

have no right to expect it, or to calculate upon it; the Bible rule for teaching is, "line upon line, precept upon precept, here a little and there a little," and that implies prolonged intercourse betwixt teacher and taught—something very different from a few minutes a-week.

Here we shall again be met with the old objection of the intolerable expense incurred for offenders while in prison. Those who use this argument ought to remember, that whatever a professional criminal may cost in prison, he costs ten times more out of it pursuing his expensive career.

Our only hope of truly reforming prisoners is placed in supplying them abundantly with religious instruction; and were the number of prison chaplains trebled or quadrupled, the outlay would be true economy.

It is, however, unnecessary, in most cases, to incur the expense of a single additional chaplain. Our prisons are usually built in or near large towns, and in them we know that there are always many well educated, pious persons who would be thankful for permission to give religious instruction to prisoners, and who would accept of no reward beyond the pleasure of doing the work they love.

Why should the prison chaplain be restricted from calling in such assistance? Ought he not rather to be enjoined to avail himself of it to the utmost?

Some may object to the employment of persons of various denominations in the prisons; but the harmonious working of the city missions seems a sufficient reply. The work is very similar, and in them no harm has

been found to ensue from co-operation, and no denomination gains sectarian advantage from it. Those engaged in such work seek not to win partisans from one section of the Church visible to another, but to win men from the service of the devil to the service of the living God; and in this work the difference betwixt one Church and another, however important in its own place, vanishes from the sight. The gaol chaplain, the city missionary, and the ragged-school teacher who would waste his time and opportunities upon denominational distinctions, is altogether unworthy of his office.

Crimes against property form so large a proportion of the offences with which our criminal jurisprudence has to deal, that we think almost exclusively of them when we think of criminals. By Mr Redgreave's tables for 1855, it appears that in the five years 1851-55, the number of persons committed for trial in England and Wales for offences against the person was 10,311, while the offenders against property were 124,231, or about one to twelve. In Scotland, the proportions are very different; for, during the same period—1851-55—the number of persons committed for offences against the person was 5,073, and for offences against property, 13,099, or about one to two and a-half; in other words, the ratio of offences against the person to offences against property is between five and six times higher in Scotland than in England.

It is not difficult to assign the reason. We have here another proof of the effects of whisky; the num-

ber of *sober* assaults is very small. This class of criminals is very different from that which lives by plunder. With a few there is an habitual tendency to commit the offence, and they are dangerous and troublesome; but with the great majority, it is the result of a momentary temptation acting upon an ill-regulated mind and temper, and not very likely to recur.

For men guilty of an ordinary assault there can be no more suitable punishment than a pecuniary fine, with security to keep the peace for a considerable period. Men who commit second or third assaults ought to be regarded as dangerous characters, and, for the public protection, imprisoned for a long period, and amply provided with religious instruction and with work. Assaults on the police, as the guardians of the public peace, ought to be treated with more severity than any others. The police, doubtless, are sometimes in the wrong; but even when they are, they have usually more right on their side than their assailants; and yet to read the reports of cases in the London police courts, one would be inclined to suppose that many believed it a lawful, if not a laudable act, to assault a policeman. How can the public reasonably expect protection of person and property, if it do not steadily support the men whom it employs on a service of some danger for its own protection?

Another serious blunder, both in Scotland and England, lies in not selecting men of higher status as governors of ordinary prisons. The situation is one

of the highest moral importance, and ought to be considered and remunerated accordingly. In the larger prisons, it may be confidently asserted, that the appointments are as good as can be made; the salaries are sufficient to induce men, highly educated and holding a good position in society, to undertake the work; but it is far from being so with the smaller prisons. They are usually intrusted to men of inferior grade, many of them doubtless of excellent character, and who discharge a certain part of their duty to perfection. They keep the prisons clean and well aired, and they see carefully to the food and clothing and work of the prisoners. In short, they perform well the whole of their *physical* duties, but there they stop short: they altogether fail in discharging their higher functions, because they are not qualified for them either by education or social position. If a prison governor be not of a rank greatly above the class of society which furnishes prisoners, he will not easily command their respect. Public opinion is to blame in this matter, for the office of prison governor is not held in the respect which it deserves; and therefore, at least in the smaller prisons, it is not filled as it ought to be. The prison governor ought to be the equal in acquirements and position of the parish clergyman, or the physician of the infirmary: his duties are quite as important, and require as high qualifications of every description. Much good would be effected if the public could be persuaded to regard those who have charge of prisons as members of a

liberal profession, and not imagine that a gentleman necessarily lowers himself by entering upon it; and this would be greatly aided by introducing a system of promotion from the smaller to the larger prisons, so that a young man devoting himself to the work might have a reasonable prospect of rising in due time to a situation amply remunerated, and thus far commanding the respect of society. The subaltern is regarded as an officer as readily as his colonel, the curate is counted a clergyman as much as his rector, and our prisoners will never be treated as they ought until the governors of the smaller prisons hold the same rank in public estimation as those of the largest. The smaller prisons ought to be used as normal schools to train up governors for the more extensive; and if this arrangement were only adopted, there would be no want of superior men to enter upon the profession. A high-toned, cultivated mind has wonderful influence in subduing and moulding the most depraved, and no man, however great his abilities, and however extensive his acquirements, can justly reckon the superintendence and reformation of two hundred, or one hundred, or even fifty of his criminal fellowmen a mean or unworthy employment. No one can make a good prison governor who is not himself a man of active, earnest piety; and no prison can prosper where the governor and the chaplain do not work cordially together.

The existence of numerous very small prisons, used as places of punishment, even for a few days, is a great evil. There are many prisons in Scotland in which

the daily annual average in confinement is only a small fraction of a prisoner; and it would be manifestly preposterous to pay chaplains for doing little or nothing. These ought to be used solely as police cells, and not as prisons; and there is now little difficulty or expense in removing all, on commitment for trial or on sentence, to larger prisons, where they can be duly cared for, taught, and trained.

In the smallest prisons, a man may be repeatedly confined for short periods, and never hear one word of religious advice or instruction. In the small towns and villages of Scotland in which there are prisons, the clergyman of the parish is usually requested to act as prison chaplain, but the more zealous of them are disposed to decline the work as interfering with what they rightly consider their proper parochial duty. They are not bound to undertake it, and yet by the Prisons' Act for Scotland, § 15, it is provided that, while every prisoner has a right to the ministrations of a clergyman of his own persuasion, the chaplains shall be ministers or licentiates of the Established Church of Scotland. In practice this rule is, of necessity, relaxed; but it ought not to exist, for it is a legal bugbear which may stand in the way of practical good, and prevents valuable instruction being legally provided for the inmates of prisons. The object to be kept in view is, that every person imprisoned, for even the shortest period, shall have religious instruction offered—nay, pressed upon him: it is what is needed by him above

all things; and our arrangements are culpably deficient until this be attained in one form or another, and the law ought not to hamper local authorities in their endeavours to provide it. It need not be supposed for a moment that criminals in a prison have, as a body, very tender consciences or very acute feelings as to this or that Church; a little indistinct, nominal preference they may have, but nothing more.

CHAPTER XVII.

DEFECTS IN OUR PRESENT CRIMINAL LAWS, AND THEIR
ADMINISTRATION.

HOWEVER good the criminal laws of a country may be, they can be of little comparative value unless well and effectively administered, and in this respect there are serious errors both in England and Scotland. In England the greatest defect is the want of a public prosecutor. In Scotland we have been so long accustomed to this official, that we can scarcely understand how criminal business can be properly conducted without him. In each Scotch county, and in the larger towns, there are one or more *procurators-fiscal*, the name implying that they act as attorneys for the crown. Their duty is to investigate every crime, and in the less important cases, to prosecute before the local authorities; but in all cases of a serious description, to report to the Lord Advocate, who, with his five deputies, has the control of the whole criminal business of the country. These deputies, as Crown counsel, give the necessary instructions; and if the case be such as, in their judgment, ought to be tried before the

Supreme Criminal Court, then the procurator-fiscal's duty is to get up the evidence and have it all in readiness for the trial.

The duty is generally performed most effectively, and very few brought to trial escape, either from want of proof or from technical blunders. The personal character of the fiscals is at stake, and they make every exertion to discharge their functions. They are also intrusted with duties somewhat similar to those of a coroner in England, investigating all cases of sudden death or serious accident. They are invariably legal men, trained up in the theory as well as the practice of criminal law.

There are no such legal officials in England, except perhaps the attorney and solicitor-general, and it is very obvious that they cannot act personally unless in occasional cases of great importance.

The English practice, of binding over the private party to prosecute, sometimes inflicts a heavier punishment on him than falls on the offender when convicted; and it also gives the semblance to the whole proceedings of being an act of private vengeance, and not a public prosecution for the public good; there is also much risk of prosecutions being bought off for a sum of money.

Several attempts have been made to remedy this evil, and of late very strong opinions have been expressed by some of the highest legal authorities.

Thus Lord Brougham says, "I am ashamed that I have still to speak of prosecutors, voluntary, gratuitous prosecutors, as required to execute the law against

criminals. There is no country but England in so rude a condition as to be without a public prosecutor; no country but England in which it is possible for a trifling sum to buy off a prosecution, and in which the first duty of the State is committed to, its highest office laid upon, private individuals, generally upon the very last persons on whom it should fall, the parties injured by the office.”*

It is superfluous to endeavour to add force to this brief but powerful statement—it makes it clear that it is impossible for any nation to have its criminal law well administered so long as there is no public prosecutor, and the whole prosecution of criminals is left to private feeling.

Another practical evil which prevails in both countries is intrusting the administration of criminal law to persons who have not had any judicial training.

In towns this is done by committing these grave and responsible functions to gentlemen elected by their fellow-citizens to municipal offices, and in counties to country gentlemen on the roll of Justices of the Peace.

Neither of these as classes can be supposed to have much knowledge of law, and still less of all the niceties of evidence on which their decisions ought to depend.

Municipal offices are usually conferred with much discretion by their fellow-citizens on those best able to fulfil their important duties, and their judicial functions are a mere accidental appendage, not regarded as of much importance, and the qualifications for which never

* Report of first meeting of National Reformatory Union, 1856, p. 52.

enter into the consideration of the electors. It is not likely that the previous occupations of a lord mayor or an alderman in England, or a bailie in Scotland, have been such as to prepare him for the highest of all judicial functions, yet the administration of criminal law, itself an office of much higher order than that of civil law, and of more importance to the wellbeing of the country, is, to a large extent, intrusted to these untrained and unpaid magistrates.

There is a very prevalent idea that any man is capable of sitting in judgment on what are called the paltry cases which come before the inferior courts, but it is a complete mistake. On the rightful decision of these cases depends, very greatly, the social wellbeing of the community, and unsuitable judgments do more extensive harm than the offences themselves.

The qualification of country justices has nothing to do with their legal knowledge. It depends almost exclusively on the possession of property to a certain extent within the county, and this confers no necessary acquaintance with law. It is true, however, that at Quarter Sessions, both in Scotland and England, but especially the latter, there are often present gentlemen who either are members of the bar, or who, after receiving a university education, have devoted time and attention to the study of law, and the important office of Chairman of Quarter Sessions in England (unknown in Scotland) is generally conferred on account of high qualifications.

Still the system is bad ; unpaid magistrates can never be effective nor give satisfaction to the public. There

can be no obligation on them to attend and perform the necessary duties, and there is a general feeling that by attending they confer an obligation on the public, and that in return the public must deal very gently with their proceedings. It would be much more satisfactory to have salaried or stipendiary magistrates, men of legal attainments, and fully responsible to the public for their proceedings, and to put an end to the judicial functions of all unpaid magistrates. There can be no objection, but, on the contrary, much advantage, in their continuing to discharge purely ministerial duties, such as granting warrants for apprehension, examining into cases and committing the accused, either for further examination or for trial, but at this point their powers ought to cease. There is much risk of local feeling entering into the decision of cases where the accused, the injured, the witnesses and the judges all live near each other, and perhaps are personally acquainted ; and even if it do not, there is a strong suspicion of it, which is nearly as mischievous. The purity and integrity of the administration of criminal law ought to be placed above the possibility of being injured by ignorance or influenced by private and personal motives.

In Scotland, for the last twenty or thirty years, country justices have gradually almost ceased to act as judges, even in trifling cases; they rarely go beyond granting warrants to apprehend.

It is of great importance that trial should follow the apprehension of the criminal as quickly as possible, and conviction might often take place on the evidence that

justifies a remand. If there be suspicion that the accused has committed other crimes, they can, in most cases, be investigated and decided as effectually and more conveniently after than before sentence. All petty cases, such as picking pockets, stealing in shops, and the like, should, if possible, be decided, and sentence pronounced on the first hearing.

It is also worthy of consideration whether, in trifling cases, a smaller jury than twelve in England and fifteen in Scotland might not be deemed sufficient. In many cases serving on juries is a heavy tax on the community, and it would be well to reduce it so far as can be done with safety. It is a very important duty; it falls lightly on idle men, to whom it is often rather a recreation, but to those who are engaged in business it sometimes involves serious loss. Three or five men would give as good a verdict as twelve or fifteen.

The worst evils in our present criminal procedure result from imprisonments for short periods; and here the blame must be laid partly on the laws, and partly on the judges who administer them. The extent to which these sentences prevail in practice has been shewn in Chapter VIII.;* but it cannot be too often or too strongly pressed on the public attention, that they are alike useless to the public and injurious to prisoners, whether adult or juvenile.

Any system of prison discipline, however effective, must be in operation for a considerable time before beneficial results can be expected. A short imprisonment, in certain cases, especially of casual offenders,

* Pp. 160-162.

may be calculated to deter from crime, and thus prevent its recurrence; but in the great majority of cases it has no time to act as a means of reformation, and its only effect is to harden the offender, by debasing him in his own estimation and in that of his neighbours. He considers himself, and often is, an outcast, an alien in the midst of his countrymen; he regards society as his enemy, declares war in his own mind against all around him, and takes the first opportunity of returning to crime. A different treatment would, in most cases, procure very different results; and the end to be kept in view should be, if possible, to realise Lord Brougham's assertion, that first commitments might easily be made the last. By the present treatment, the man is almost irretrievably injured in his character, and thus, to a great extent, deprived of the means of honest self-support, while no serious attempt is made to shew him the errors of his conduct, or to effect his permanent reformation.

If a few be deterred by the fear of incurring fresh imprisonment, the majority have only learned that prison is not, after all, so uncomfortable an abode as they had imagined; and that, after a short retirement within its walls, they are pretty sure to return to their evil pursuits with renewed health and vigour, and, it may be, with somewhat of additional relish, stimulated by temporary abstinence. It is an ascertained fact, that criminals in bad health occasionally commit petty offences in presence of witnesses, in order that they may be instantly apprehended, convicted, and sentenced,—to be thoroughly cured at the public expense.

The number of recommitments in England and Wales for 1853 were 33,565, and of these 8886 were recommitted for the *fourth* time or upwards.* When we look into the reports of local prisons, we meet with frequent instances of persons who have been convicted twenty or thirty times, and occasionally those who have been sent to prison so many as sixty, eighty, or one hundred times. It is very clear, that a system under which so often-repeated commitments can occur, must be either established or conducted on wrong principles. The criminals return to their usual pursuits as certainly as they are let out of prison, even as the sow returns to her wallowing in the mire.

The whole system of these short imprisonments ought to be gradually abolished; it is the radical vice of our present criminal administration. Magistrates often pass such sentences from kindly but mistaken feelings of compassion to the criminals, and, perhaps more frequently, to save their own feelings in the discharge of a painful duty. It would be kindness to both parties to put an end to the possibility of committing this error. The late Baron Alderson gave a most sound opinion, when, in reply to a question before Lord Brougham's Committee, he said, "I would desire to see a minimum punishment fixed by the Legislature, in order that injudicious magistrates may not indulge their spurious humanity at the expense of the public and the criminals." †

It is, however, only after much progress has been

* Nineteenth Report of Inspectors for 1856, p. 246.

† Jebb's Report for 1851, p. 48.

made in the religious training of the young in industrial and other schools for the lower classes, and many improvements introduced in the actual treatment of prisoners in prison, and the number of them thereby greatly reduced, that it will be possible to establish a truly sound system of sentences, rising in severity for each additional conviction.

In fixing the right mode of dealing with adult criminals, it is of importance, in many cases, to maintain a distinction betwixt *casual* and *habitual* offenders, and to adjust the punishment to this view of the case, rather than to the abstract magnitude of the particular crime under trial.

Mr Mayhew has stated,* that of 15·7 criminals among 10,000 of the population, 12·8 are guilty of crimes against property; and of these, 11·5 are habitual offenders, and 1·3 are casual; or, in round numbers, one-tenth of our thieves are casual, and nine-tenths are habitual offenders.

The moral state of these two classes is very different; the casual offender may have committed his offence in circumstances of sudden and strong temptation, without having any habitual inclination to crime, perhaps even with considerable repugnance to it; and this ought to induce us to modify his treatment.

The adult guilty of a first theft deserves punishment, for there is no room for the plea of want of discernment; no man possessed of all his faculties can live up to twenty or thirty years of age in this country without being perfectly aware that he has no right to his

* "Great World of London," pp. 413-441.

neighbour's property, and that, if he steals, he most justly incurs punishment. It is, however, mistaken policy, for reasons already given, to sentence him to be imprisoned for a brief period ; it ought to be long enough to afford the reasonable hope of making permanent impressions of good upon his mind and heart. Public opinion would not probably, at this moment, give its sanction to more than a moderate extension of the period of first sentences, nor to the necessary extension of the powers of judges and magistrates exercising summary jurisdiction, and, least of all, to the erection of the necessary additional prison accommodation—especially when there is good reason to hope that, by the extended use of reformatories and industrial schools, the number of criminals is soon to be very greatly reduced. Still the unquestionable strength of the objections to short imprisonments should be never lost sight of by those whose duty it is to pronounce sentences ; and imprisonments under one, or perhaps two months, might well even now be prohibited.

But, though a longer *period* be desirable, still a first offence ought to be treated in prison with as much indulgence as possible, on the presumption that it is a casual and not an habitual act, and the prisoner should be made to understand distinctly that he is unwillingly regarded as a criminal, and that his imprisonment, with all its accessaries, is intended for his good. A first offender ought, whatever the length of his sentence may be, to be treated with more indulgence than a habitual offender ; he might even wear a dif-

ferent dress from other prisoners, and be allowed to procure little comforts for himself by extra labour, as was done with such excellent effect at Valencia; everything should be done to encourage him in self-respect and industry. In short, he should, as much as possible, have the treatment of a boy at an industrial school, or a youth at a reformatory, so far as consistent with the fact of his being a prisoner, who must be kept under the necessary strict discipline of a prison; and an ample share of his time must be allowed for his religious instruction.

Perhaps, with casual first offenders, even a certain limited amount of association and intercourse at lessons and work might be permitted; the great objection of the hardened criminal corrupting the novice would not apply where all are novices; but even with them it would require very careful superintendence to prevent mischief, and all ought to have their separate cells at night, and should also spend part of every day in seclusion.

As the object is to have them under training for a certain period, they should not be allowed to shorten it, as in the penal labour system, by good prison conduct; but it deserves consideration whether they ought not to prolong it, to a small extent, by bad conduct, especially by inattention to work. This would add greatly to the efficacy of the training, and especially it would stimulate to diligence and progress in the industrial occupations so important as the means of providing for future honest support, and, if expressed in the sentence, it would not be liable to the objection

of uncertainty; it would be quite as clearly understood as the other parts of the sentence; the carrying out of it would fall to be intrusted to the prison authorities.

Previous to liberation careful inquiry ought to be made as to the prospect of each prisoner procuring employment, and correspondence carried on with his relatives or former masters, so that, if possible, he shall pass at once from the prison to regular and remunerative work. A record ought to be kept of all that passes on this matter, and it ought to be considered as a principal part of the duty of governors and chaplains to endeavour to procure safe employment for them. At present, the official connexion betwixt officer and prisoner ceases the moment the latter is liberated, and that is the very moment when, for his reformation, there is most need to look after him, and most means of ascertaining what effect prison discipline has had upon him. The employer ought to be requested to inform the governor, from time to time, how he is behaving, and of this also a record should be kept.

This may appear to impose a great additional amount of work on the officials, but the more zealous of them perform much of it already, with the exception of probably keeping memoranda instead of regular records. It ought to be enjoined on all as a necessary part of their duty; for, if a liberated prisoner knows that he is kindly looked after by those who have already been kind to him, it both encourages him in well-doing, and restrains him from evil.

Adults found guilty of repeated thefts deserve severer treatment than first offenders, though the hope of reforming them must not be abandoned. Their treatment ought to be more stern; they should be clothed in the full prison dress, allowed no indulgence except by medical order, and no association with other prisoners should be permitted for any purpose, and a greater amount of daily work should be exacted from them; their whole time in prison should be made more penal, and, so far as consistent with health, more distasteful; while the religious teaching, and the industrial training, and the care taken on and after liberation, ought to be not less than what is bestowed on first offenders. Adults who have passed through a certain number of successive stages of prison treatment, and have, notwithstanding been again convicted, must be regarded as confirmed offenders, determined to pursue crime as a profession, and they must, as the next resource, be sentenced to penal servitude. In the present state of society, and especially of the education and training provided for the lower and lowest classes, both outside and inside of prisons, and the position of those to whom the care of the smaller prisons is intrusted, it is impossible to fix on any certain number of imprisonments which ought to be allowed to precede penal servitude. It must be left to the discretion of judges, but much good would speedily result from giving offenders practical proof that each succeeding conviction certainly procured more distasteful punishment, and therefore it is to be hoped that the present practice may gradually be changed, and

the period of imprisonment, on repeated convictions, not left wholly to the discretion of magistrates.

A graduated system has been, to a certain extent, followed for some years in Scotland with good effect, only the earlier periods of imprisonment have been far too short; for a *first* theft is usually punished by from twenty to sixty days' imprisonment, a second or third by two or three months', and the fourth, and up to perhaps the sixth or eighth, by periods varying from three to eighteen months, before recourse is had to penal servitude; the practice, especially in the lower courts, is far from uniform, but still there is an acknowledged system of increasing punishment at each successive conviction.

Some persons may be ready to exclaim, that regularly to increase the punishment for each renewed offence, and to pass regularly from weeks to months, from months to years of imprisonment, is too severe; but let them ask themselves what is true kindness to the criminal? Is it kindness to treat him so as almost to force him to return to a life of crime, by first destroying his character, stamping the felon mark upon him, and then, after imprisonment, too short to do him permanent good, by its industrial, moral, and religious training, to send him back to the world to return, almost without fail, to his criminal pursuits? Is it not much more kind, both to him and to the public, to try to detain him so long, and treat him in such a manner as to give at least a hope of reforming him.

Nothing would have more effect in deterring from offences against property than the adoption of a

tolerably certain *ascending* scale of punishment. The risk would then become too great even for a skilful swell-mobsmen; he would think it far better to work honestly for himself at liberty, than to run the risk of being forced to work for the public in prison for two or three years on his third or fourth conviction. At present they calculate, as we have seen, on being only about half or a third of their time in prison every year.*

Another matter requiring immediate legislative interference is, the definition of offences for which imprisonment in an ordinary prison may be awarded.

When Mr Mayhew visited the House of Correction in Coldbath-fields, he inquired into the offences of each of 194 boys in one of the large working rooms. The majority were thieves and pickpockets, but with these were mixed up two for the strange crime of spinning their tops; one was imprisoned for a month for going to sleep in Kensington Gardens; and several on "suspicion," one for getting over a wall, five for "heaving stones," and two for "heaving clay."†

It is difficult to understand the criminality of spinning a top, or even of sleeping in Kensington Gardens, and the heaving of stones or clay is a crime of which most boys may be convicted over and over in the course of their schoolboy career.

Surely it is thoughtless cruelty to punish such offenders by forcing them to associate for days or weeks with the most depraved of London juveniles.

Admitting that the act is annoying and ought to be

* See p. 163.

† See "Great World of London," pp. 411-419.

repressed, imprisonment is not the proper mode of treatment; a moderate birching on conviction, and conveyance direct to the parents' care would be both reasonable and likely to deter, and could not corrupt; and if a repetition of the offence seem to require further treatment, the reformatory school and not the prison is the proper place.

CHAPTER XVIII.

PENAL SERVITUDE AS IT OUGHT TO BE.

IF we may now assume that the system of penal labour, whether followed up by a ticket-of-leave or not, is to be the mode of treating our adult criminals in time to come, it is of great importance that it be thoroughly understood, and that everything be done to give it full scope and fair play.

In the penal labour system, the most valuable part is the teaching and training. The licence, or ticket-of-leave, though important, is not essential to its success; it is only the test applied to discover how far the training has done good, before the control of the convict is altogether abandoned; yet it is the part on which the public has fastened its almost exclusive attention.

Whether with or without a ticket-of-leave, every offender must, sooner or later, be at liberty, who is not hanged, transported for life, or imprisoned for life; and as it is now practicable to transport only a very limited number, it is obvious that we must prepare to receive them in one form or another at home.

The country demands in future much more caution in liberating criminals, than could be exercised during the

last two or three years; more superintendence over them when liberated; and more care to put them in the way of well-doing, and to remove them from the power of evil associates and of temptations to crime.

In order to this, considerable changes must be introduced into our laws, as well as into the practical application of them; and the penal labour system, in all its paternal features, must be extended further than has yet been done.

One essential step to be taken is to extend and improve the police system of the country. At present, in some large towns, and in many counties, it is in a miserable condition—much money spent, not much done to detect, and still less to prevent crime; while there are large counties, both in England and Scotland, without rural police of any kind.

So long as this is the case, it effectually prevents the safe working of any system of liberation, whether before or on expiry of sentence. Liberated convicts who are resolved to return to crime, naturally resort to those places where there is no efficient police; and there they may be tolerably safe themselves, but very dangerous to the community. There is no one to recognise or look after them, or to prevent their combining with local offenders in perpetrating fresh offences with comparative impunity. There ought to be a complete police force for the whole country, and it ought not to be left in the power of local prejudices to prevent or impede it.

The next step is to improve the communication

betwixt the different police forces, in the metropolis, in the large towns, and in the rural districts. At present, a dangerous convict, whose sentence has expired, may be living among the worst characters in a place where he is a stranger, and yet be not known nor even suspected by the local police; and the bare *possibility* of this is one great cause of the recent popular alarm on the subject. In the case of a convict of bad or even doubtful character, a distinct description ought to be communicated to the principal police offices in England, Scotland, and Ireland, as well as to the locality in which he is likely to reside; and in the case of desperate characters, it might be well to adopt the plan lately tried in France, and transmit photographic likenesses along with the written or printed description. All such documents must be considered as confidential, to be seen and consulted only by order of the proper authorities.

Liberated convicts, whether they be ticket-of-leave men or not, ought, as a general rule, to be prevented from resorting to large towns. This may sometimes be a hardship, but it appears to be necessary for the good of the criminals as a body, as well as for the safety of the public. When they locate themselves in a large town, the temptations to crime which ruined them before beset them again on every hand.

The reason usually alleged in favour of a large town is the greater probability of finding employment; but probably this is more apparent than real. If a man be a native of the place, there may be circum-

stances to make his return thither desirable. Respectable parents and friends may be willing to receive him, and may have work ready for him. A certain amount of discretion ought to be intrusted to the prison authorities in determining the place of abode for the first few months, and each case decided on its own circumstances at liberation, and the licence, or certificate of liberation, expressed accordingly. As a general rule, a man who had no honest trade before apprehension, and who has only learned a handicraft in prison, ought not to be permitted to hide himself in the darkest recesses of our crowded cities—he should be constrained to live in *daylight*, where his conduct can be seen at all times.

The detective, or rather preventive branch of police work, requires to be much more employed than it has hitherto been. One good officer in plain clothes will prevent more cases of crime than ten men in uniform will bring to conviction. We suffer also greatly, from the *legal* delicacy which frowns upon endeavours to enter private dwellings, where it is strongly suspected, or even perhaps perfectly known, that crime is the profession of the inmates, on the old plea that an Englishman's house is his castle, and not to be invaded. This ought to be no protection when the castle is converted into a robber's stronghold.

Too little attention is paid both in courts and prisons to the previous history of the accused. This is a matter for the consideration both of judges and of prison officers, and it ought to be carefully weighed in every sentence which is pronounced, as well as in

the personal treatment of every convict while in prison. In Scotland, a culprit's previous character goes far to influence the sentence pronounced upon him. In the case of a thief there are three different forms of accusation. He may be simply accused of the particular theft for which he is brought to trial, or he may be accused of it with what is technically termed the aggravation of being *habit-and-repute* a thief, or he may be accused with the aggravation of previous conviction of theft—or, which forms the highest grade of theft, he may be accused of theft aggravated by being *habit-and-repute*, and further aggravated by one or more previous convictions. The severity of sentence is regulated by the proof adduced, and the finding of the jury on all the counts. There is a strong prejudice in some minds against the accusation of *habit-and-repute* as distinct from *previous conviction*, as if a man's general character and conduct were something too vague to be the subject of proof in a court of justice. Were it proposed to make this *alone* the subject of a trial, there would be force in the objection; but when it is only an inquiry into the general character of a man found guilty of a specific crime, it seems no more than is necessary to enable the judge to pronounce a suitable sentence. It is capable of proof as clearly as any offence. If the accused is proved by the police, or other witnesses, to have no visible means of supporting himself, to follow no honest trade, and to be the constant companion of known thieves and profligates, no jury need have any difficulty in giving a verdict on his character.

A man of proved bad character, when convicted of a comparatively light offence, ought to pass through a longer period of teaching and training than a man convicted only of one offence, even though in itself more serious. A man may commit a grave crime on the impulse of a sudden strong temptation, and yet he may be a more hopeful character, and ought to be less an object of fear and dislike to the public, than the man who *habitually* commits petty offences, and lives exclusively upon the produce of his crimes. A longer period of imprisonment is required for the one than for the other before he can be set at liberty with safety to the public.

Nothing has a more injurious effect on the minds of criminals than delay in bringing them to trial, and uncertainty as to the practical extent of the sentence pronounced. The sooner that conviction follows crime the more it is felt, because delay always gives hope of escape. If there be uncertainty prevalent as to the full term of the sentence being exacted (except in cases proper for the exercise of the royal prerogative of pardon), it undermines the feeling of reverence for the law so important to society. It makes the law almost an object of contempt, as being a variable changing thing, instead of an object of reverence as something sure and certain. Care, therefore, ought to be taken, that every convict clearly and distinctly understand what the sentence is which is pronounced upon him, and that sentence be, if possible, literally carried into execution.

There has of late been much confusion in the public

mind, and also among criminals, on this subject, caused by the exigencies of the sudden change introduced by the Act of 1853, as if criminal sentences were now pronounced which are not intended to be executed; and nothing can have a worse effect. Criminals always calculate largely on the chance of escaping conviction, and no wonder, when we find how many offences are committed with impunity; and if convicted, they are equally sanguine as to the chance of escaping with only a part of their punishment. This, however, is not inconsistent with retaining the stimulus of hope to encourage the prisoner in good conduct; a sentence of four years' penal labour, which may be reduced to three by good behaviour, is quite as plain and as well understood by all as a sentence of seven years' transportation.

There is a great defect in any penal system which transfers criminals at once from the seclusion of a prison cell, or even from an associated labour gang, to the full unrestrained liberty of ordinary life. What is wanted is a *testing-place* to ascertain the actual result of the previous discipline—a *half-way* house betwixt the prison and the world—a place in which character may be truly proved, for the convict's own good and that of the public.

Hitherto, when a man was convicted and sentenced to penal servitude, he was confined for a short time in a common prison, strictly separate from others, then removed for nine months to Pentonville, where he had the full benefit of the reformatory system already described, under the care of the admirable governor

and chaplain; next he was removed to Portland, and there he was associated with others in hard labour, but under the strictest superintendence.

If we consider all the circumstances under which this man is placed, it becomes very obvious that his conduct during his penal servitude must furnish a very uncertain, not to say an altogether fallacious criterion, by which to judge his character, and this is the true reason why the public has shrunk instinctively from contact with the holder of a ticket-of-leave.

For the time the convict is a total abstainer, whether he will or not; he cannot rob or steal, for he is constantly under lock and key; he is exposed to no temptation to crime; in short, his whole character, so far as outward demeanour extends, is forcibly changed for the better, even in spite of himself.

Every one accustomed to visit courts and prisons, must have been struck by the wonderful apparent diversity of the characters of those brought up for trial, and the equally wonderful apparent uniformity of character of those who have been a year or two in prison. The expression of their countenances becomes nearly as uniform as their prison garments. Altogether, it is not possible for governors and chaplains, teachers and warders, not even for the convicts themselves, to arrive at anything like a certainty of what the change of character has been, whether temporary or permanent, superficial or real.

It is the general experience of prison officers that old hardened offenders make the least troublesome prisoners. They know well the rules of prisons, and

that their own comfort depends on their observance of them; they act accordingly, and they must, of course, be reported in the most favourable terms. An experienced London thief, guilty of a thousand crimes, will undergo his whole period without giving occasion for a single complaint; while a country lad convicted of his first offence is the torment of every prison officer, and is perpetually in the black list. He can neither be persuaded nor forced to obey the prison regulations; and yet who can doubt that, when these two are liberated, the latter is a far more hopeful subject than the former? Character drawn from prison reports is, therefore, not to be depended upon for more than what it really is, a correct statement of how the man has conformed to prison rules.

This feeling enters very largely into the estimate formed of a liberated prisoner both by the public and by themselves.

What have been the uses made of the tickets? Many of them were speedily destroyed, or hid in some safe place of concealment, whence they might be produced in case of need. In a few cases it appears that convicts, on reaching home, shewed the ticket to one or two of the constables of the district, and they acted wisely. To the constable a ticket ought to be a sure passport to protection from molestation; and if he be fit for his situation, he becomes at once the convict's friend and protector,* while he faithfully keeps his secret so long as he conducts himself with

* See evidence of Police Sergeant Loome, and Police Inspector Brennan in Second Report on Transportation, 1856.

propriety. But in general the ticket soon disappears. The convict knows well that if found upon him on apprehension for an offence, however trivial, it could have no effect but to insure a heavy punishment; that if he shews it to any master in want of a servant, it can only procure his instant rejection; in short, that it is little better than an undeniable record of former guilt which he would wish to bury in oblivion.

Much has been already accomplished on behalf of criminals, and we must now take yet one large step onwards, and prepare for them something intermediate betwixt the associated labour prisons and the world, a position where a convict's character can be truly tested to the satisfaction of himself, of his officers, and of the public, and from which he may come forth with a certificate which he need not be ashamed to produce, and which a master need not be afraid to receive.

The first objection to such a scheme is the expense; but it is one which is wholly unfounded. There can be nothing so costly to a nation as a great body of criminals living at large—preying on the honest and industrious, and corrupting all around them. At whatever cost, it must be true economy to reform them if we can, even in a merely pecuniary point of view, to say nothing of the great duty of endeavouring to deliver our country from a mass of crime and misery.

The great establishments at Portland and Dartmoor were steps in the right direction. At these places there is much liberty in certain respects, and consider-

able individual responsibility, though there is still too much resemblance to a prison to afford us sufficient tests of reformation of character. What is now wanted is not the erection of costly edifices with ample staff of officials to each, but only arrangements which may easily be made both in connexion with public works, and perhaps even in extensive private undertakings. When a convict is ready to leave Portland or Parkhurst, having creditably passed his time of probation, and completed his period, let him be removed to public works, free of prison walls and sentinels; allow him to provide his own food and lodging, and give him fair regular pay for work performed, and lay no restraint upon him beyond subjecting to strict watching, and reporting on his conduct. If the man continue for six or twelve months to stand this test, then he would be entitled to a certificate of character which would be of real value; something far more than a record of past offences. This plan seems well calculated to benefit those who wish to reform, and it is likely to be at once rejected by those who are resolved to return to a life of crime, and it would serve a valuable purpose by leading them at once to point themselves out as intending to do wrong. Those who are family men would thus be at once restored to the society of their wives and children, the best safeguards of any man's conduct.

The greatest advantage of the plan consists in providing certain remunerative employment for the first few months after leaving prison. If this period can be got over without a relapse into crime, then the man is generally safe; his greatest danger is during that

time. On liberation from prison he ought to receive his ticket-of-leave, and after supporting himself without reproach for six or twelve months, he ought to receive an independent certificate of good conduct—not as a convict, but as a free workman, and bearing no reference to his previous history, which can at any time be ascertained and produced against him, if he relapse into crime, without his actually carrying it about in his pocket.*

There are difficulties in carrying out this plan, but they are by no means insurmountable. One is the objection, which honest men often feel and express, to being associated in work with liberated felons. We think too highly of British workmen to believe that they would allow this in general to operate to the prejudice of those who truly desired to reform. On the contrary, we are persuaded there would be an earnest desire, in most cases, to encourage and help forward the returning penitent. The feeling against associating with the man who is only watching for opportunity to commit fresh offences is strong and just, and, it is to be hoped, will never become less vigorous; but it does not apply to the present case.

It would be dangerous to place very many of these persons in constant daily intercourse; they must be

* It is very satisfactory to find, since the above pages were written, that a plan, similar in principle, though slightly different in detail, has been brought forward and ably advocated by Captain Crofton, Chairman of Directors of Irish Convict Prisons, in his "Remarks on the Convict Question" (Dublin, 1857), pp. 5, 6.

broken up into small parties, lest one bad should lead many others astray; the superintendence over them should be seen as little as possible by others, and felt more than seen by themselves; an occasional visit at their place of work, a frequent call at their houses, and an occasional inquiry at their employer would furnish materials for a correct report.

Drunkenness is the temptation most to be dreaded, and they ought to be warned that yielding to it will at once deprive them of all hope of establishing their characters. Unless they have principle and courage to walk past the gin-palace and the beershop, they must not be certified as likely to be trustworthy servants.

Many such persons might be employed at the various public works, such as Portsmouth, Chatham, and Sheerness; and a few superannuated prison officers, of good and kindly character, could easily superintend and report on their conduct. Multitudes could be employed about other great seaports, at all of which there are public establishments requiring and paying many labourers, and where these men could be employed and superintended; some, too, could be employed by railways and various extensive works.

The case of those who wish to support themselves by handicrafts is somewhat different, and must be provided for in another manner. They may be quietly put under the notice of the head police authorities of the locality where they are to reside, who, with common prudence, could superintend them without allowing it to be known, or even suspected.

No man undergoing this final probation can be allowed to change his residence without giving notice, and, on failing to do so, he must at once and for ever forfeit his hope of a character. It must be held as a conclusive proof of his determination to do wrong. A period of twelve months at most, perhaps of six or nine, of good steady conduct ought to be sufficient to establish character.

The best mode of fully carrying out this plan will be, not to intrust it exclusively to official persons, but to draw upon the many Christian men now labouring, under one name or another, amongst the lower classes of our countrymen. By far the greatest difficulty at the commencement will be to procure suitable persons to act as superintendents, if we are to look only to paid officials. A policeman may be a most intelligent, active officer, and yet altogether deficient in the tact required. The position can only be efficiently filled by men of high-toned religious principle, who would feel a fatherly interest in the returning prodigal; and who, without fee or reward, would gladly undertake the duty for love of the work. Such men are not rare, they are to be found in all our towns. The city missionary, the older Sabbath-school teacher, the weekly visitor, would all rejoice in it as a most interesting part of their ordinary duty. It would only need a notice from the magistrates or the police to make them acquainted with the party, the necessary visits are probably paid by them already; reports and returns they are accustomed to prepare, and, from their duties as missionaries or visitors, their

visits would excite no suspicion among the neighbours. This sort of work cannot be laid upon them by Act of Parliament; it must necessarily be left to individual Christian exertion, and its greatest value will be found in its being the result of willing unpaid love to man. The work, though not *enforced*, may well be *sanctioned* by the Legislature.

It deserves consideration whether, in addition to the certificate of character, it might not be true economy to give moderate rewards, besides what may be due for over-work while in custody, to those who had good reports after six, nine, or twelve months' freedom under superintendence, not to be paid in money, but to be expended in clothing, furniture, tools, or materials for work, if they are to remain in the country, or perhaps in paying their passages, if they desire to emigrate to a colony.

The expense of £5 at six months, and other £5 at twelve months, to 2000 convicts, would only be £20,000 a-year—a very small per centage of the present cost of our criminals; and it would be well-spent money if it proved the means of placing even a small part of them fairly and permanently in the way of well-doing.

The obvious objection to this is, that it is to shew more kindness to a criminal than is shewn to an honest workman. But, in reply, it may be fairly stated that during his years of imprisonment, the convict gave all his labour to the public without receiving anything beyond his food, clothes, and lodging; and the sum thus given, though not strictly due to him, may yet

be regarded as a sort of claim which there can be no harm in acknowledging and discharging, if any good is likely to be done by it.

It is most true, that every criminal is a hopelessly insolvent debtor to his country. He owes the amount of all his depredations, the cost of his trial, and of his imprisonment, and of his training; and the only repayment he can ever hope to make is by becoming an honest, industrious member of the community for the rest of his life. It is kind as regards him, and it is wise as regards ourselves, to help him thus to repay us; and it must not be forgotten, that by many neglects and many temptations, the public at least assisted in making him a criminal.

Economy as to prisoners is highly to be commended, as well as in everything else affecting our public expenditure. But here the real question is not, are we to spend a few thousands a-year more or less on criminals, but are we to have a few thousands more or fewer criminals to deal with every year. This is the right point of view from which to contemplate the question, so as to see it in its true bearings; and if any plan can be suggested which is likely to diminish the number of offenders, to withdraw them from the costly profession of criminals, and place them permanently among the industrious producers, the great source of our national wealth; the money required ought not to be grudged, the experiment ought to be tried, and, after fair trial, it can easily be continued or abandoned as experience may direct. The great object to be attained is to enable the

criminal to pass the first few months after his liberation in safety, by protecting him from the strong temptations to which want of work and want of wages necessarily expose him.

The man's work is to be a fair return for his pay during this period, and the rewards suggested are not essential to the plan, though they would probably increase its efficiency.

There is also every encouragement in a financial point of view to persevere with the penal labour system.

The average annual cost of a convict at Pentonville is about £24, 12s. after deducting his earnings, and as each is detained there about nine months, or three-fourths of a year, his cost is £18, 9s. during his first probation. Considering the whole system as one of training and teaching, and fitting for future honest industry, the right view of this expenditure of £18, 9s. is to regard it as an *apprentice fee*, paid by the public on behalf of the prisoner, to have him properly trained and instructed, and as it includes his every expense, except his lodgings, it cannot be reckoned excessive.

From Pentonville he is removed to Portland or Portsmouth; at the former he costs, after deducting his earnings, £2, 17s. 7d. per annum, and at the latter, £4, 16s. 10d., or on an average of the two, £3, 17s. 2½d.,* or in round numbers, £4 a-year, and here he is no longer an apprentice, but a sort of journeyman, whose earnings are nearly equal to his expenditure.

* See Jebb's Report 1856, pp. 40, 45, 49, 282.

Suppose the man to spend altogether four years in penal labour, he then costs the country, for nine months of first probation at Pentonville, £18, 9s., and for three years and three months of second probation at Portsmouth or Portland, £12, 1s., making in all £30, 10s., or about £7, 7s. per annum.

What is this sum compared with what the same man would cost the public either in an ordinary prison, or at large unreformed, pursuing his criminal career?

Surely the country will not be driven from supporting a new system which promises such moral and financial results, merely because it has been met by a strong popular outcry against it, especially when it is remembered that it was introduced under great disadvantages, that whatever is really objectionable in it admits of easy remedy, that its advantages can be greatly extended, and that no substitute for it has hitherto been suggested.

CHAPTER XIX.

THE INCURABLES.

NOTWITHSTANDING all that has been done for adult criminals, there are still found no small numbers on whom the labour has been bestowed in vain, who must be regarded as *incurables*, and who, for their own sakes, and for the public safety, must be treated as such.

A few of these consist of fatuous and lunatic persons, who are such, in the course of God's providence, by no fault of their own, and who never were responsible for their actions.

A larger number have made themselves imbecile or insane by a long course of wickedness. There is perhaps no class of human beings so deeply to be commiserated. Originally endowed with all the powers and faculties belonging to man, they have so abused their gifts, and expended their vigour in vicious indulgences, that they have driven reason from her throne and deprived themselves of man's proudest attribute—his responsibility.

However culpable in the sight of God and of man during the early part of their career, they have, ere reaching its close, ceased to be accountable beings.

Perplexing questions occasionally arise in conse-

quence of pleas of insanity in bar of trial or of sentence, but judges and juries are generally inclined to decide in favour of the prisoner.

When a man is acquitted on the plea of insanity, he is detained in custody during the Queen's pleasure, and is sent either to a public lunatic asylum, or to a prison having lunatic wards.

Criminals are not suitable inmates of a lunatic asylum, and neither lunatics nor fatuous persons are suitable inmates of a prison; in either case they interfere, more or less, with the ordinary arrangements for the other inmates, and it is almost impossible for them to receive the treatment they require.

It would be far more for the public advantage to have special asylums for lunatics accused of crime. The number is not great. The total for England and Wales in 1855 was 34,* and for Scotland, 6;† and, allowing five or six years for the average duration of life after trial, accommodation for two or three hundred would be sufficient. The cost of removal to a distance occasions a very trifling addition to the expense of a person who is to be detained for life. However wicked some of them may have formerly been, in their now miserable state they can only be regarded as objects of compassion, to be treated with all the tenderness consistent with their safe custody; and this can scarcely be done in the wards of a common prison or in a common lunatic asylum.

There is, however, another and a much larger class

* See Redgreave's Tables for 1855, p. 5.

† See Criminal Offenders, Scotland, 1855, p. 6.

who not less deserve the name of incurables—those who, in the full possession of their senses, have run a long career of alternate crimes and punishments, but have profited nothing by all the advantages afforded by prison discipline, and who, on liberation, return at once to crime. These cases prove how difficult it is to eradicate evil propensities, and in many minds their numbers throw considerable doubt on the efficacy of the whole modern prison system, seeing that one-third of the annual commitments are recommitments, or 33,585 recommitments out of a total of 101,693 commitments.*

These confirmed habitual offenders are the very persons who, till lately, were, as the last stage of their career, transported either for life or for long periods. This outlet for them now exists only to a very limited extent, but the class is as numerous as ever, and there is nothing at present, save the influence of penal labour, to prevent them continuing to be so for years to come. They will be furnished by the neglected criminal class now advancing in their career, and for whose benefit no effectual plans of prevention have been in operation.

The question of what is to be done with them is one of the most urgent in the present day. It involves at once the comfort of the public and the highest interests of the unhappy criminals themselves; for it is to regulate the manner in which they are to spend the last years of their allotted time on earth; and it also involves the minor consideration of the annual

* See Inspectors' Nineteenth Report, pp. 241, 246.

expenditure of no small amount of public money in one form or another.

Their determined perseverance in crime entitles, if it does not actually require, society to place them in such circumstances as shall restrain them from preying upon their neighbours in time to come. A criminal ought not to be lightly accounted as incurable; but a thief who, after repeated slighter punishments, has once, or perhaps twice, undergone penal servitude, and is again convicted, has little right to complain if he be so regarded. He has been fairly put in the way of well-doing, fully warned of the consequences of persevering in crime, and, if he neglect the warning, he ought to endure the penalty. The public has discharged its duty to him, and he has no just ground of complaint if it effectually protect itself against his attacks for the rest of his life.

Offenders against property, accompanied by preconcerted violence—such as garotte robbers, robbers by chloroform, and housebreakers, accompanied by violence to the inmates—convicted for the first time, ought also to be placed at once in the same class. Their premeditated conduct proves their depravity, and their reckless disregard of human life proves that they cannot be left at liberty with safety to others. Nothing would tend further to reconcile the public to tickets-of-leave than the certainty that they should never be held by such persons, and that, when a man has been convicted of one such offence, there is no possibility of his committing a second.

What is to be now done with these criminals? What

is the treatment demanded for the public safety in the first place, and for the good of the criminals in the second? Up to this point, the whole of the treatment of prisoners has been rather with a view to their reformation as the first object, while the protection due to the public has only occupied the second place; but now the order must be reversed, and the protection of the public must occupy the first place. Are we not driven to the melancholy conclusion, that there is a class of hardened criminals who leave no alternative to society in its treatment of them, and who, if they cannot be transported, must be shut up at home?

Most persons will instinctively shrink from the proposal to imprison for life, and it is, no doubt, an awful thought that a fellow-creature requires to be shut up, like a noxious animal who cannot with safety be permitted to go at large; but still duty to the unoffending members of society may demand that he be so treated.

The number of "*incurables*" to be provided for at home must depend entirely on the number who can be disposed of by transportation, and on the number of sentences of penal labour which may be judged proper before resorting to the last alternative, the highest secondary punishment which can be inflicted.

It deserves consideration, whether the prospect of the possibility of incurring imprisonment for life, after a certain number of convictions, may not have a beneficial effect in making criminals pause in their career. No other punishment, perhaps not even the fear of death itself, is so likely to deter. It has nothing in it to make it desirable—nothing of the

romance or of the delusive hopes held out by the transportation of former years; and there would be this great consolation in inflicting it, that it would be easy to supply the miserable convicts with that religious instruction which, under the old system, was found to be wholly impossible in the penal colonies, but which can easily be supplied at home, and which may be blessed to the saving of the soul of even the most hardened among them.

It is sad to think of men in such a position; but kindness to hardened criminals must be restrained within due bounds, and not indulged to an extent which is not really beneficial to them, while it keeps at least a portion of the unoffending public in constant alarm. It is unfair to send our most desperate ruffians to a penal colony, when they cannot be set at liberty with safety to the other colonists; and if they must be in confinement, it is easier and cheaper to manage them in Britain than in Australia.

If we expect to induce any colonies willingly to admit convicts to supply their labour market, it can only be by sending those whose presence will not endanger other settlers, and of whose reformation there is reasonable hope. The old adage, "*Cœlum non animam mutant qui trans mare currunt*,"* is not wholly true. The experience of the painful consequences of crime, the total change of habits, associates, and even of temptations, together with the

* "They who through the venturous ocean range,
Not their own passions, but the climate change."

Horace, epist. i. 11. (*Francis's Translation.*)

prospects set before him, are all likely to induce a transport to take a fresh start in life, even though he may have no higher motives and hopes than mere worldly prosperity.

Our present difficulties are great, but they must not be evaded so long as we have so numerous a body of offenders for whom we have to provide. The cost of prisoners, whom we are obliged now to retain at home, is a serious consideration. The able-bodied, under limited sentences, ought to be nearly self-sustaining; but if the great stimulus to exertion derived from the hope of liberation no longer exist for any considerable portion of them, then the produce of labour will be greatly reduced. It may, to a small extent, be supplied by allowing the purchase, from the proceeds of extra work, of such harmless indulgences as they would gladly exert themselves to attain.

There are no means at present of ascertaining the numbers who are likely to be thus imprisoned, for it must depend very much on the amount of patience which the public may resolve to shew to habitual offenders before conclusively disposing of them. It is reasonable to expect that penal labour, and the gradual improvement of prison discipline, will reform or deter a considerable proportion, and check them in their criminal progress.

The average number annually sentenced to transportation while that system was in full operation, was about three thousand. These, as a body, were manifestly considered by the British public as unfit to be trusted at large in this country, and though many of

the sentences were only for a limited period, the greater part of them never returned. They in truth were the *incurables* in the public estimation, and their annual numbers henceforward must depend on the number of successive sentences which may be considered as proper to establish that character.

Of the future criminals of this class one-third may probably be disposed of at Gibraltar and Bermuda, leaving two-thirds, or two thousand, to be retained at home, either for life or for very long periods. It seems evident that besides the inmates of common and convict prisons, we must now look forward to a gradual *accumulation* of incurables on our hands; they will form the *dead weight* of our criminal administration, and the least satisfactory part of it.

If all those who have hitherto been transported were to be reckoned as *incurables*, and now to be detained at home and shut up for long periods or for life, then the number would at our present rate amount in ten or fifteen years to fifteen or twenty thousand, or to about the number of convicts understood to be actually residing under long sentences in the penal colonies when the system of transportation came to a close. This looks very alarming, not so much that it is really anything new, but because it is an old fact placed in a new light, and implies an old expenditure in a new form. The country for many years paid a much larger sum for transporting than would be required for keeping the same number in confinement at home.*

* Nineteenth Report of Inspectors of Prisons, p. 247.

The average cost of each prisoner in Great Britain in 1853 was £21, 17s. 5d.; and the average earnings of each, £2, 1s. 5d.; net expense, £19, 16s. 0d. But as working in associated labour would, in many cases, be unobjectionable, the earnings ought to be greater. At Portland the expense has been reduced to less than £5 a-head,* and suppose their cost be reduced by their work to £10 or £15 a-head, it would give for twenty thousand incurables an annual expenditure of £200,000 to £300,000, and this is a large sum for such a purpose, not to be spent in the hope of curing and restoring to society as useful members of it, but in merely secluding as too mischievous to be suffered to be at liberty.

It has been proposed to purchase one or more of the large islands near our own shores and make them penal agricultural settlements, but unfortunately the cash balances at Redhill, Parkhurst, and Dartmoor, all shew that it is difficult to make penal agricultural labour remunerative. It might be wise outlay for purposes of reformation, but imprudent for mere punishment and safe custody.

Colonel Jebb, in his Report for 1854-55, enters into careful calculations of the probable future cost of prisoners in Great Britain. He calculates on 12,000 males and 1200 female prisoners under penal labour, and estimates the total cost, after deducting earnings, at £153,200, and adds to this £11,000 for removing 800 prisoners annually to Bermuda and Gibraltar, and 200 to Western Australia, making a total net cost

* Col. Jebb's Letter to *Times*, 2d February 1857.

of £164,200.* The earnings are computed at an average of £12 for each man, and £4 for each female, and the annual supply of convicts is reckoned at 3000. It is much to be feared that this is too favourable a view both of the numbers and the cost of the more confirmed criminals. It will require much care to bring up the produce of prison labour to this mark, and no sufficient allowance seems to be made for the gradual accumulation of incurables; all are regarded as undergoing sentences of penal servitude for limited periods.

It matters not very much, in the point of view from which we are now considering prisoners, whether they be at once sentenced to prison for life or allowed to get out from time to time to commit fresh crimes, and be again sentenced to years of penal labour. In either way there is nearly the same amount of care to be bestowed upon them; in the one case they are always in prison, and in the other they are very little out of it; and whether the one or the other, they must gradually accumulate on our hands and become a heavy burden upon our prison funds. Colonel Jebb seems to contemplate only those who may be expected to come forward annually as at present, and to overlook the process of accumulation.

However sound and effective the principles of the penal labour system may be, it cannot cure the incurable. There is a class of criminals whom no human exertions can reform. Hitherto most of them were sent abroad and forgotten, and their *incurability* did

* See "Report on Convict Prisons, 1854-55," p. 116, &c.

not become conspicuous to the British public, but henceforward most of them must be retained at home, and their actual moral state will be too well seen; they will soon shew themselves; in each succeeding year, for some time, they will become more numerous, and now is the time to endeavour so to arrange our penal system as to reform or deter the greatest possible number, and to make the most suitable preparation for those who are resolved to be neither reformed nor deterred.

It is well known that, for many years past, there has been a gradual and not very prudent diminution in the length of sentences of transportation, more especially since the penal colonies began to object to receive convicts, and this has been still more marked within the last three or four years, when it was absolutely necessary for judges to modify their sentences so that it might be possible to have them carried into effect, and this makes the number of heavy current sentences less than it ought to be. In the five years 1848-52, the number in Great Britain sentenced to transportation was 16,229, of whom 10,963 * were transported, or yearly averages of 3405 and 2192, but the larger number represents the more serious offenders so sentenced, even after it was well known that there were insuperable difficulties in the way of actually sending them abroad. In the most favourable point of view, it is probable that if stricter progressive punishment of those repeatedly convicted be gradually adopted (and this appears absolutely necessary for the repression of

* Evidence on Transportation, 1856, p. 3.

crime), then it will be nearer the mark to reckon on not fewer than 16,000 to 20,000 prisoners under sentences of penal labour for Great Britain, and that there will be over and above this the gradual accumulation of *incurables*.

If these suppositions be nearly correct (and they are given only as suppositions), then they set before us ultimately a convict population of 25,000 to 30,000, for whom we have to provide, of whom from one-third to three-fourths will be undergoing sentences of penal labour, of various durations, in the hope of reformation, and the remainder would be shut up as incurables.

Of course these numbers are not fixed at present either by law or by practice, and there are no tables from which they can be obtained; they must depend on the course which the Legislature may see fit to pursue in the changing state of criminal jurisprudence and prison discipline; but when we consider the hardened condition of our present convicts and of those who are growing up in the common prisons on the way to penal servitude, the inducements to crime and the obstacles to reformation, the numbers of those who are committed over and over again, and the expressed determination of the country no longer to be annoyed by them, it is but too probable that these numbers are not too large, and that they will not be materially diminished until a different training has, for a series of years, been applied to our neglected outcasts.

The case, however, of aged criminals who have outlived in prison the propensities which led them into crime, or perhaps have survived the physical capacity

to offend, requires special consideration. It may be asked for what purpose detain them in prison at the public cost? Certainly, unless they have relatives able and willing to maintain and take care of them, it would be cruel to set them at liberty, and it would be only transferring their cost from one division of the public purse to another, viz., from the prison to the poors funds, for they could not support themselves.

The number of persons convicted above 60 years of age is about 2 per cent. of the whole. Thus in 1853, of 93,189 convictions in England and Wales, 2114 were of persons above 60 years of age;* and it is manifest, that, after a few years of confinement, most of these might be restored to freedom without much danger to the public from crimes they are likely to commit, unless they be so thoroughly wicked as to devote themselves to corrupting the young.

In whatever way we may view it, our present prospect in regard to the confirmed habitual criminals is far from satisfactory. It is clear that public opinion would revolt, and with reason, from the idea of shutting up in hopeless confinement, within prison walls, any large number of criminals, anything approaching to the numbers formerly transported for long periods; but it is not less true that we have had this number to dispose of in years past, at an annual rate of several thousands; and until great changes are made in many of our social arrangements, we have little right to look for a much smaller number, except from the operation of penal servitude, and it has to deal not so much

* Nineteenth Report of Inspectors, p. 242.

with advancing or progressing criminals as with those who have nearly or altogether earned the name of incurables.

Is it not possible that many of those who are certain, so far as man can see, to turn out *incurable* at home, may prove to be perfectly *curable* abroad? There is encouragement to think so from the well-known facts of the number of convicts who have risen to independence and even wealth, and to no small degree of public consideration in the penal settlements, and also from the recent experience of the London Reformatory, and the salutary effect even upon ordinary transports, just alluded to, arising from the total change of their circumstances.

It seems, therefore, well worthy of consideration, whether encouragement to emigrate ought not to be given to able-bodied convicts whose home-characters have been greatly damaged, but who, by a certain period of good conduct under superintendence, after release, whether from penal labour or sentences of considerable duration in a common prison, give reasonable ground to hope that they are, at least to a certain extent, reformed characters. This would have the double advantage of delivering the mother country from the burden of them, and giving them a fair prospect of doing well.

It will, of course, be met with the old objection of the injustice of doing more for rogues than for honest men, but the sufficient reply is, that it is proposed mainly as a measure of self-defence; an expenditure to protect ourselves, with the additional

recommendation that it gives a hope of those trying to reform themselves abroad who have shewn no wish to do so at home.

It would probably not be prudent for the State to offer this to those who have only been once or twice convicted; they may be curable at home, or they may not be sufficiently sick of crime and its consequences to set vigorously about doing well even on reaching a foreign country, though many of these would be very fit objects for aid from private societies for the same purpose. These men would not go out with the convict mark upon them, but would carry with them the good character they had fairly earned by their behaviour after liberation, and under the superintendence suggested in last chapter.

The expense would be considerable if they went to Australia—probably not under £25 or £30 a-head, to allow them to land with a few weeks' support in their pockets; but if they went to Canada, £8, or at most £10, would be sufficient—greatly less than their next trial and imprisonment at home would cost. It seems well worthy of trial as a probable means of checking the career of many a criminal, and that in a manner most advantageous to all parties.

The whole subject of the treatment of hardened criminals is full of difficulty, being complicated by duty to the public on the one hand, and regard to the wellbeing of the criminals on the other. The plan now suggested would have all the advantages of transportation, without its objectionable features; and it might be very easily carried out through the Emigra-

tion Commissioners, in such a manner as to break off all visible communication betwixt the emigrant and the prison.

In the case of men with wives and families, provision would, of course, be made for the passage of the whole family; and in these cases the guardians of the poor would often find it an immediate, as well as a future saving, to bear a portion of the expense.

CHAPTER XX.

PREVENTION.

THE facts contained in the previous pages establish certain propositions, which lead directly to important practical conclusions.

They *prove* that we have still the remains of rude and barbarous laws, unsuitable to the present age, but influencing the every-day treatment of criminals.

They *prove* that we have national habits and neglects, which are injurious to all, but especially to the lower classes of society, and which tend directly to produce crime.

They *prove* that we have laws which, though not so intended, are calculated to lead to crime.

They *prove* that we have a great and costly body of confirmed criminals amongst us, and a still larger number of incipient criminals and of persons verging towards crime.

They *prove* that these persons lead a life of extreme misery, and that a very large proportion of them has been made thus miserable by neglect, over which they had no control; but which may be remedied by wiser laws, more intelligently administered.

They *prove* that even the best modes of prison

discipline cannot be depended upon for uniform reformatory results.

They *prove* that comparatively little prudent care is taken of the great body of offenders confined in our common prisons.

They *prove* that the best results are obtained with the worst criminals, because most care is bestowed upon them.

They *prove* that the wit of man has hitherto failed to invent punishments which deter with certainty from crime.

They *prove* that much good is accomplished by modern prison discipline, and that there is much encouragement to continue and extend the systems of training and teaching which it embraces.

They *prove* that, while a child costs £20 a-year in prison, he can be thoroughly educated in an industrial feeding school at a cost of from £5 to £8 a-year.

They *prove*, therefore, that, on the whole, *prevention* is both easier and cheaper than *punishment* followed by reformation.

They *prove* that the principles on which industrial feeding schools for juveniles have been established, fairly meet and solve all the difficulties of the question, so far as regards the younger outcasts.

They *prove* that, for those of older years, though scarcely to be reckoned adults, reformatories on the same principles may with confidence be expected to produce satisfactory results.

They *prove* that, if the nation be in earnest to accomplish the great work of prevention, so as to

deliver itself from the fearful amount of crime which exists, there must be the united exertions of the Legislature, the Churches, and the judges and magistrates of the land; and that, after the Legislature shall have cleared the way by enacting prudent laws, and judges and magistrates shall have executed these laws wisely and efficiently, still the greater part of the work remains to be accomplished by zealous, untiring individual exertion.

They *prove*, above all, that, whether in placing the young in the right way, or in reclaiming the adult who has gone astray, no reliance can be placed on any system which is not based on the revealed Word of God, and which does not daily use that Word as the only rule of teaching and training.

If we hold these propositions as clearly established, and that the prevention of crime is a thing greatly to be desired, then it follows, as a matter of course, that it is our immediate duty and interest to follow up all the various plans indicated, so as to bring our whole social system into a healthful moral condition.

It is absurd to go on from year to year spending large sums of money in vain attempts to *deter by punishment*, or to *reform by prison discipline*, if we be persuaded that we can *prevent, by early care*, with much less trouble and at much less cost.

Reformation of prisoners is highly to be valued, but all experience proves it to be very costly, and it presupposes that the object of it shall have already spent a part of his life in active crime, or, in other words, in a course of conduct which produced constant

annoyance to his neighbours, and neither peace nor happiness to himself.

The great object, then, is to prevent our hitherto neglected juveniles from ever entering on, or making decided progress in, a criminal career. Until lately, the greatest obstacle in the way of reforming juveniles arose from the necessity of either imprisoning them for their crimes, or leaving them alone to pursue their wicked courses. Sixteen years ago, the experiment of industrial feeding schools was first tried; it was carried on without being very strictly legal, in face of considerable opposition, and with very little encouragement: but it succeeded; it gradually spread over the country; and at length, and after a hard struggle, the principles embodied in the experiment received the sanction of the Legislature. On the 7th August 1854, the Royal assent was given to the Act 17 and 18 Victoria, cap. 74, introduced by Mr Murray Dunlop, the able and energetic member for Greenock, "to render reformatory and industrial schools in Scotland more available for the benefit of vagrant children;" and three days later, the like assent was given to the 17th and 18th Victoria, cap. 86, introduced by the present Premier, and commonly quoted as Lord Palmerston's Act, "for the better care and reformation of youthful offenders in Great Britain."

These two statutes have commenced an entirely new mode of dealing with incipient criminals and with those who are on the high road to crime. They have introduced into our criminal law the new principle, that prevention is better than punishment; they

have fully recognised the duty of the State in the matter; and it may be questioned if, in the whole wide range of our "Statutes at Large," there be two other enactments based on equally solid Christian principles, or calculated to do so much lasting good to the country.

By Dunlop's Act, vagrant and neglected juveniles, apparently under fourteen years of age, wandering about the country without visible means of subsistence, may be sent by magistrates to a reformatory or industrial school, duly sanctioned by the Secretary of State, there to be educated and trained, but not to be detained, without their own consent, beyond the age of fifteen. This Act applies to Scotland only.

Lord Palmerston's Act is a British statute, equally applicable in Scotland and in England. By it, magistrates are authorised to send juvenile offenders under sixteen to reformatory schools, duly sanctioned by the Secretary of State, for not less than two, nor more than five years, but only after undergoing an imprisonment of not less than fourteen days. Both Acts make due provision for recovering the expense of the young persons from those justly liable, and both authorise grants of public money in aid of schools and reformatories. Both are also *voluntary* or *permissive*, not obligatory. Magistrates may act under them if they please, but they are not obliged to do so, and they may at present sentence either to school or to prison as they think proper.

The framers of these laws acted wisely in making them at first permissive. Public opinion was scarcely

prepared to admit the great change, as shewn by the opposition the bills encountered ; and it is of little use to pass criminal laws not sanctioned by public opinion ; for, though enacted, they are not executed, and thus the law itself is brought into contempt.

But the public mind has already been greatly enlightened ; and it is now very generally admitted that it is better to endeavour to prevent, than to be ever administering dose after dose of ineffective punishment ; and the true principles on which to deal with juveniles are to a large extent recognised.

It would have been absurd to expect that permissive Acts would be at once carried fully into effect ; magistrates, even the most honest and enlightened, who have for a long series of years carried out one set of principles in dealing with offenders, cannot reasonably be expected as a body to change that practice, so long as the law does not oblige them ; and as it is never expedient to attempt to carry out laws far in advance of public opinion, so in the present case it has been sound policy to make these laws at first only permissive, and allow the felt good effects of them to prepare for their speedily being made compulsory. It is to be hoped that the time is not far distant when no youthful offender will be committed to prison unless he has had the fair prospect of reform offered to him, by having been first sent to school. If this be tried in vain, and he persist in crime, then, though young in years, he must be regarded as a determined criminal, and subjected to sterner treatment. Some will be found so perverted as to be utterly hopeless, and they

will soon shew themselves, so that it might perhaps be prudent to be prepared beforehand with an establishment for the exclusive reception of young incorrigibles. However few in number they may be, they ought not to be allowed to exercise permanently deteriorating influence on others.

There is one great blemish in the English statute which ought to be removed, and that is the requirement of at least fourteen days' imprisonment before being sent to school. What purpose can this serve? Can it reform the child? What prison discipline can be imagined which in the space of fourteen days can produce any good result?

It is in flagrant opposition to the essential principles of the other parts of the law, that boys and girls of tender years are not to be branded with the prison mark, but to be treated with judicious firmness as erring children; that while the public cannot, and does not pass over their offences, still it will not deal with them otherwise than as a prudent parent would with a wayward child. What is the effect of this imprisonment on the child? It stamps him with the prison brand for life; and it cannot be too often repeated, that it is a mark easily made, but never to be effaced.

The enactment of this clause is mainly to be attributed to the remains of the old hereditary feeling, that it concerned the majesty of the law to allow no offence to pass without punishment, and to take no account of the circumstances of the offenders. It was also argued very earnestly, while the bill was in progress, that unless some such clause were introduced, greater

educational advantages would be offered to young criminals than to those in a similar rank of life who had committed no offence, and that thereby an actual premium would be held out to petty crime. The argument is unanswerable as to the duty of providing, or even enforcing, proper education, for all neglected children, whether criminals or not ; but it is of no force in favour of a wrong mode of treating any of them. This clause cannot long resist the progress of opinion ; and magistrates will soon be obliged to send youthful culprits direct to school, and not through the gates of the prison.

Even if the principle of a certain amount of punishment be maintained, imprisonment is by no means the most suitable ; moderate personal chastisement would be more effectual ; only this should be administered at such a time and place as shall in no way connect it with the school—in the vicinity of the court, immediately after sentence ; but this is only suggested, not recommended, as decidedly better than a fortnight's imprisonment, in order to satisfy those who will not be contented without a certain measure of punishment.

If public opinion on social and educational questions advance for a few years more as it has done for the last fifteen or twenty, it will not long be endured that a British child, however low in rank, shall be educated either in a prison or in a poorhouse school. The unanimous demand of the country will be, that all who enjoy the high privilege of being born in the United Kingdoms shall be brought up so as to have a reasonable prospect of becoming valuable members of the

community, and not a disgraceful burden upon it, and that *punishment* of juveniles shall in no case commence, until the various modes of *prevention* have been fairly tried and exhausted.

What, then, is to be done in order to accomplish the greatest amount of prevention? If the statements in the previous pages have carried conviction along with them, it follows at once that the various evils indicated ought to be abated, and the various means of good described ought to be brought into extensive and vigorous operation with as little delay as possible; and the two processes ought to go on harmoniously, each advancing with all convenient speed, and neither waiting for the other. It is folly for the promoters of improved dwelling-houses for the poor, or the friends of temperance, or of Sabbath observance, to relax or defer their local efforts until they get all the Acts of Parliament they wish passed through the two houses; and it is equal folly in our legislators to delay measures of unquestioned utility until voluntary activity shall have made them wellnigh superfluous.

Prevention of crime, then, is to be effected by the combined results of many varied moral and even physical operations. It is a fortunate circumstance for the cause, that it enlists many more labourers in the field than any one enterprise ever could command. It furnishes acceptable work to the infinite varieties of men's talents, tastes, and even fancies. The promoters of religious education, of savings' banks, or of model lodging-houses—the magistrates who withhold licences from disorderly or superfluous public-houses, the popu-

lar lecturers to the working classes, the male and female district visitors, the distributors of Bibles and tracts, the country families who encourage nicely-kept cottages and gardens, the town families who coax the idle little inhabitants of the lane behind their dwelling to come to school, the distributors of clothing to those who have known better days—are, one and all of them, active labourers in the great cause of prevention of crime. Those engaged in these works may not always think of it; but whatever one man does to raise another man in his own self-respect and in the social scale, is a direct contribution to this cause; and a single trifling act of kindness has often led to momentous consequences, and produced the most beneficial results, even to distant lands and through a long series of years.

There is ample work here for all, and let each take up the portion of it most congenial to himself, for relished work is always heartily performed. More, however, is required than the active promotion of good. There must be at the same time equally strenuous resistance of evil; and to many this is less pleasant labour. How much it is required will be made very manifest if serious thought be bestowed on some of the remarkable features of this nineteenth century, which prove an activity of evil hitherto unknown in the history of Britain, and which can only be checked by earnest opposition.

One of these is furnished by the numbers of deluded men and women who every year, in certain districts of Britain, declare themselves Mormonites, and of whom not a few proceed annually to join the degraded

beings who have established for themselves a sort of Pandemonium in the centre of North America. It is easy to imagine why a depraved and licentious man should do so; but that a woman of respectable habits, and accustomed to be treated with the respect commonly paid to her sex in this country, should be so deluded, would be wholly incredible, were it not a certain fact.

It is true the number of Mormonites, of both sexes, is not great compared with that of the whole population; but it is quite sufficient to furnish a very marked sign of the social state of a part of the nation. For each one who openly joins the party, many must be thinking about it, hesitating, and verging towards it. Ignorance, gross and profound, is doubtless one of the causes of this extraordinary movement; but the principal cause is hatred of the pure law of God, and some idea of being at liberty to break it with impunity, if only a home can be found where all are agreed to live in defiance of it, and where the example of Christian neighbours exists not, to be a perpetual restraint and reproach.

Another of the marked features of the age is the open combination of men, many of them in respectable positions, for the avowed purpose of getting rid of some of the ten commandments. Here, also, appears the enmity of the natural heart to the pure law of God. There have been breakers of the first, or the fourth, or the seventh commandment, from the earliest periods; but hitherto they have acted singly, or in occasional small combinations: it was reserved for the

present day to see them united in action, and venturing to petition the law-makers of Britain to give their sanction to the abolition of this or that distasteful portion of the law of God. These must be met by similar associations for directly opposite purposes, and in these many may easily take part.

Again, there have always been infidels and scoffers in the land, but formerly they acted singly and alone; it is a new feature to have them formed into associations, printing books and tracts, diffusing them widely, and employing lecturers to disseminate their poison; the only possible result of which is to deprive their deluded victims of every rational ground of happiness in time, and delivering them over to utter hopelessness for eternity.

Other features might be named; but these three demand immediate and energetic opposition, if the prevention of crime be reckoned desirable. Mormonism, Sabbath breaking, and infidel publications, are unmistakeable producers of crime.

The flood of infidel, godless, licentious literature which is deluging the land, is only to be driven back by a more powerful flood of pure Christian literature to meet and overwhelm it. Mormonism and Sabbath breaking are to be met by writing and spreading scriptural views of the questions at issue, and, more efficiently of all, by kindly Christian personal intercourse and discussion of the various topics involved.

There are already many labourers in this field, but they are neither sufficiently numerous, nor sufficiently diversified in their talents, nor sufficiently extended in

their operations, to cope triumphantly with their opponents. Here is a large sphere of usefulness for many who need only to make the experiment in order to discover that they possess powers and talents which hitherto they have allowed to lie dormant, and that either by tongue or pen, or both, they are able to contribute largely to the prevention of crime.

All these objects are important, and loudly call for exertion; and until much be accomplished in abating these evils, crime will continue to abound, but it would be folly to wait and do nothing while this struggle was advancing. Let those who are competent for this work undertake it zealously; but, meanwhile, let others address themselves to what is less difficult, and to many will be more agreeable.

The great and immediate work to be done is to care for neglected and criminal juveniles by means of industrial feeding schools and juvenile reformatories. These require to be multiplied in most places where they exist, and to be established in many where they are unknown, before they can be adequate to meet the necessities of the country.

They have already obtained a large amount of legislative support, in being recognised as valuable national institutions, of which magistrates may legally make use; but their full power to do good will not be seen until it become the law, that neglected outcasts and juvenile criminals shall be sent to an industrial school or a reformatory—as certainly as it has hitherto been, that they shall be sent to a prison.

It is very clear that, unless unexpected events

occur to prevent it, the new Parliament will be more occupied than any of its predecessors with the most important social questions. The friends of industrial schools and reformatories have good cause to rejoice that Mr Murray Dunlop, Sir John Pakington, Mr Adderley, and many others of their best friends, have regained their seats; while they cannot but regret the loss of Sir S. Northcote, Mr Arthur Gordon, and other active supporters of the cause; but whatever Parliament may enact, the public itself must perform the essential part of the work.

At this moment there is perhaps reason to fear, not that Parliament, but that Government may attempt to do too much. Nothing could be devised so fatal to the usefulness of the schools as to make them entirely State institutions, managed by officials and supported from the public funds. It is right that the State should exercise superintendence and receive reports on results, and that it should give liberal pecuniary aid; but not so much as to supersede private local liberality. To give assistance cheers and encourages; to do all, or even too much, takes away personal interest and motives to exertion, and tempts to extravagance in the management.

Under the existing minutes of Privy Council, a sum of seven shillings a week is to be allowed for each youthful inmate of a reformatory school containing above forty inmates, and this is too much; for, in Scotland at least, it would leave a profit to the managers, and put an end to all need for private exertion to provide funds.

To industrial feeding schools under Dunlop's Act, the capitation grant is limited to £2, 10s. per annum for each child fed; but there is, besides, an allowance of one-half the salaries of teachers, one-half the rent, if any, and one-third of the cost of tools, books, and raw materials; and this appears to be quite as much assistance as Government ought to give, for it leaves a very moderate share of the annual expenditure to be raised by local exertions. De Metz, who has had ample experience, strongly deprecates this work "being taken up as a piece of Government or corporate machinery, to be carried on by a mere code of discipline, and by hired servants who enter it solely as a profession they may live by."*

The element of active personal interest on the part of the managers is absolutely necessary, and the simplest test of this is their willingness to contribute both time and money. But there is this more serious objection to industrial schools and reformatories being made Government establishments, that it would go far to put a final termination to one of their most precious features, the expression of the active sympathy of the rich towards the poor, so much needed at the present day, and so readily appreciated. The moment they become State schools this sympathy terminates: however well they may be conducted, they cease to unite the higher and the lower, the independent and the outcast, in bonds of mutual kindly interest; and no amount of pecuniary grants can supply this loss.

The administration of a prison-rate or a poor-rate

* Appendix to "Report on Criminal Children, 1853," p. 64.

produces little kindly feeling betwixt the payer and the receiver, but rather tends to alienate them from each other; while the willing providing of funds, and superintending the working of an industrial school or a reformatory, draw forth the best mutual feelings of managers and pupils towards each other. The teachers and other instructors must be paid—it is their profession, by which they must live—and for this very reason is the addition of the active element of paying supporters and managers the more necessary.

Even if industrial schools and reformatory schools were as numerous as they ought to be, and as efficiently managed as they can be, there is still one thing more required, and that is the introduction of a system of *patronage*, so extensive that no child or young person shall leave a school, without knowing that he has a friend who will stand by him and help him during his first struggles upward in the world. This is one of the suggestions which at once recommend themselves, and continental experience is conclusive in its favour; but in Britain, though its value in individual cases has been often proved, it is only now beginning to be tried on an extensive scale.

The Birmingham Prisoners' Aid Society has been little more than a year in existence, and it is believed to be at present the only British association for this particular purpose. The reports of its progress ought to be widely circulated, to stimulate and guide the formation of similar institutions. It is, in fact, only an extension of the kindly superintendence and care

of the school or the reformatory for the first few years of the pupil's progress in the world.

No one expects to extirpate crime—to expel it from the world—that is beyond human power ; but man is permitted to do much either to increase or to diminish it. Duty and interest, our own comfort, and the wellbeing of our fellow-men, and, above all, obedience to the commands of God, and desire to promote His glory, call on us to use every endeavour to diminish the amount of it.

It is well to reform criminals; and therefore the modern system of prison discipline ought to be zealously maintained and extended, for it has been proved to promote that end.

It is better to prevent crime than even to reform criminals; and therefore industrial feeding schools and reformatories, for neglected children and incipient criminals, ought to be maintained and extended; for it has been proved that they prevent crime, and spare the public purse; and what further argument can reasonably be demanded in their favour?

The work is arduous; it is a portion of the old struggle of Good against Evil; but God will maintain those who are on His side, and, if prosecuted in dependence on His strength and under the guidance of His wisdom, the victory is sure; but if attempted in mere human strength, and guided only by human wisdom, neglecting the plain rules laid down in God's Word, then failure is as certain as it will be richly deserved.

But success may be humbly, yet confidently antici-

pated; the truths of the Word of God are now, far more generally than in times past, acknowledged to be the only right moving power in moral questions; men are asking more openly than they were wont to do, "What says the Word of God?" and are feeling the obligation to apply its principles to their public as well as their private actings.

If the Legislature enact the laws which are still required, and if the public take up and carry forward the cause in the Bible spirit, and with the Bible as the only guide, then a few short years will effect a mighty change, and place our country in a position of moral worth and purity such as no nation on earth has ever yet occupied; nor will the good done be confined to the classes of society which are the immediate objects of the enterprise—it will be rapidly reflected and spread upwards to the higher and the highest—the breaches which have unhappily been threatening to split asunder our whole social system will be healed, and rich and poor will be firmly united together by the ties of mutual interest, and of mutual brotherly affection, and by the still stronger bonds of one faith and one hope.

THE END.



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